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Security Council

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GENERAL

S/1998/367
1 May 1998
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 1 MAY 1998 FROM THE PERMANENT REPRESENTATIVE OF TAJIKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On the instructions of my Government, I have the honour to transmit herewith the text of the statement released on 30 April 1998 by the Ministry of Foreign Affairs of the Republic of Tajikistan.

I should be very grateful if you would have the text of the present statement circulated as a document of the Security Council.

(Signed) Rashid ALIMOV
Ambassador
Permanent Representative of
the Republic of Tajikistan
to the United Nations

98-12076 (E) 040598 040598

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Annex

[Original: Russian]

Statement issued on 30 April 1998 by the Ministry of Foreign Affairs of the Republic of Tajikistan

The people of Tajikistan and all right-thinking forces in our society greeted with great enthusiasm and hope the signing of the General Agreement aimed at establishing lasting peace in the country in order to build a democratic and just secular State.

The leadership of the Republic, adhering to the principle of strict compliance with the General Agreement on the Establishment of Peace and National Accord in Tajikistan, is taking all possible measures to implement the peace agreements.

Events during the first few months of this year, however, show that there are still forces in the country whose acts of provocation are directly aimed at undermining the peaceful initiatives and creating a tense socio-political situation in the country. These forces are doing their utmost to sow a feeling of distrust between the Government and the United Tajik Opposition (UTO), flagrantly violating the peace agreements which have been reached and in fact continuing to carry out acts of military confrontation.

The Government of the Republic of Tajikistan has repeatedly appealed to the leaders of UTO and expressed its concern about the increasing incidence of acts of provocation by individual armed units of the Opposition. At the same time, as a result of the failure of the UTO leadership to take decisive measures to put a stop to illegal acts and violations of the General Agreement, on 29 April 1998, in the northern Kafirnigan district, at the junction of the roads to the Ramit gorge and Kafirnigan, a unit of some 25-30 armed men from the Yunusov Namoz detachment blockaded a post of the Ministry of Defence of the Republic. With the threat and use of force and under cover of civilians, this unit forced the military patrol to leave the positions it was occupying. To the demand that they return to the former positions which had been agreed for their troops, the militants responded by firing their weapons and anti-tank rocket launchers. When the representatives of the United Nations Mission of Observers in Tajikistan (UNMOT) and the Commission on National Reconciliation (CNR) visited the site of the incident, they reached agreement with the armed UTO unit that it would withdraw to its previous position; the latter has not, however, kept its promise. From 29 April until now, the militants have continued to shell the positions of the detachment of the Ministry of Defence at Kafirnigan and the permanent position of the 2nd Independent Mountain Sapper Battalion (the 9 km. post on the Dushanbe-Kafirnigan road). Subunits of the Ministry of Defence are returning fire. As a result of the armed confrontation, there are casualties on both sides, including casualties among the civilian population.

On the same day, armed UTO units carried out an attack on the 2nd Local Militia Office of the Zheleznodorozhny district and the military unit of the frontier troops of the Republic stationed at the 7 km. post on the Kafirnigan

road. At the same time, they carried out an attack on the blockhouse of the militia at the Aini-Kafirnigan and Zainab-bibi crossroads. This was preceded by the mobilized training of the armed formations of UTO under the leadership of P. Aliev and R. Sanginov, who quickly, on 29-30 April 1998, began to call up the young people over 20 years of age and the so-called reservists. After distributing his troops in units of up to 100 men from the Rokhatinsk area on a geological base (the village of Karategin), Field Commander P. Aliev took measures to strengthen the posts at the approaches to the village.

In view of the situation which is developing and the failure of the leaders of UTO to take measures to put a stop to the illegal acts of individual armed formations of the Opposition, the consequences of which have been further human casualties and the threatened breakdown of the peace process, the Ministry of Foreign Affairs of the Republic of Tajikistan, on instructions from the Government of the country, states that it considers the acts of individual units of UTO to be acts of provocation aimed at undermining the confidence of the parties.

The failure of UTO to implement the provisions of the General Agreement, its stirring up of an unhealthy situation, the destabilization of the social and political situation in individual regions of the country and the acts of armed provocation on the part of a number of field commanders of the Opposition may result in serious consequences and the adoption by the Government of the Republic of decisive measures to protect the constitutional structure.

The Ministry of Foreign Affairs of the Republic of Tajikistan appeals to the United Nations, to its Mission in Tajikistan, to the Organization for Security and Cooperation in Europe and to the Guarantor States of the General Agreement on the Establishment of Peace and National Accord to evaluate the acts of the armed UTO units and to take appropriate measures.

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4 May 1998
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LETTER DATED 1 MAY 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 1 May 1998 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, enclosing an open letter from the joint meeting held on 30 April 1998 of the Revolution Command Council and the leadership of the Iraqi branch of the Arab Socialist Baath Party addressed to you and to the members of the Security Council.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

98-12242 (E) 040598

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Annex

Letter dated 1 May 1998 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

I have the honour to enclose an open letter from the joint meeting, held on 30 April 1998, of the Revolution Command Council and the leadership of the Iraqi branch of the Arab Socialist Baath Party, addressed to you and to the members of the Security Council. The meeting was held further to the review by the Security Council on 27 April 1998 of the sanctions regime against Iraq.

The fact that, after eight years, the sanctions against Iraq have not been lifted demonstrates the Security Council's lack of impartiality in dealing with this matter. The Security Council has failed to discharge its responsibilities under the Charter of the United Nations, whereas Iraq has satisfied all the requirements and conditions set forth in Security Council resolution 687 (1991), section C. The Security Council must now do its part, meeting its obligations towards Iraq by implementing resolution 687 (1991), paragraph 22, without further delay.

I should be grateful if you would apprise the members of the Security Council of the contents of this letter and have it circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

Enclosure

In the name of God, the Merciful, the Compassionate

An open letter to the President and members of the Security Council:

"Go, both of you unto Pharaoh, Lo! he has transgressed the bounds."
(Qur'an 20:43)

Peace be upon those who are rightly guided!

Your institutions were established following the Second World War and the failure of the League of Nations to maintain international peace and security. This is the version of events that the so-called or self-styled great Powers presented and continue to propagate. These institutions attracted the attention of people throughout the world, because the Charter of the United Nations enshrined principles whose fundamental aim was said to be the creation of a world free from tyranny, hegemony and wars. The Security Council was accorded special powers so that it could help to achieve this. It is a well known fact that wars generally occur either because a nation feels that an unjust situation has become so intolerable that war is its only means of redress if that injustice is to cease, or, conversely, because a nation perceives or feels that it has enormous brute strength and that no one has sufficient strength to prevent it from achieving its goals, using some kind of armed force.

In the first instance, the Great and Wise God usually supports the oppressed nation, so long as it obeys the rules of fighting for a just cause. That nation is protected by God, the Merciful, the Compassionate, the Almighty, the King of Kings and the Knower of all Secrets.

In the second instance, the devil alone is the sponsor.

Iraq is the victim of an injustice which is unparalleled in the annals of history. It has been subjected to repeated acts of military aggression since November 1991, the most recent example being the third round of aggression in 1996. Since 1991, there has also been a whole series of threats, accompanied by military build-ups. For eight years, Iraq has suffered under sanctions of unparalleled immorality, imposed by persons whose consciences are dead. Let it be clear that Iraq has fought against injustice, tyranny and corruption, not just because it is a sincere and faithful nationalist, but also because it understood from the very beginning that the tyrannical obsession that took root in the mind of the American culprit after the international balance of power had been upset - for reasons that are well known - has left it incapable of reason or of understanding which is the right path to follow and how it should deal with the rest of the world. America has become intoxicated by an empty, blind, foolish and destructive sense of inebriation and a cruel belief in the importance of using force against the entire world. Its aim is to get everyone to kiss the hands of the tyrants sitting on their thrones in the "Black House", or, failing that, at least to force them to submit to its designs, as the "Black House" determines the direction, substance, purpose and effect of the imposition of its will. Thus, it hopes, that the whole world will become America's slaves and free men will be weakened and defeated.

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Iraq understood this and knew that free men were to be prevented from doing anything about the oppression which America was determined would be the fate of all mankind. For this reason, Iraq has developed a very deep, meaningful and selfless humanitarian spirit, which God wants as a blessing for its people and for the nation: a living thing, a cornerstone of humanitarianism, which shores Iraq up in its fight against injustice and the unjust, so that, in the Great Jihad, the standard of the Almighty God will be raised on high for all to see, however close or far the vantage point. Iraq is right to rise up against the crazed American bull, which threatens to destroy the whole world and itself with it. As the victim of injustice, Iraq has stood up to the tyranny of American hegemony, with the help of the Merciful God. It is this knowledge and insight, which has helped deepen and strengthen the steadfastness of the Iraqi people with every step that the American tyrant takes against Iraq. Iraq lives under the yoke of this injustice in the hope that the peoples and nations of the world will come to understand what is happening, or, at least, that the leaders of those nations will begin to feel some shred of responsibility for safety and security, for right and wrong, for injustice and the unjust, for justice and the victims of injustice, and for tyranny and the oppressed. But what hurts Iraq most of all is the fact that the American tyrant is still intent on perpetuating the criminal sanctions, under the pretext that it was the Security Council that decided they should be imposed. We all know the circumstances surrounding the adoption of those resolutions, which contain not a single positive element and which are totally without justification. Their purpose is to hurt the Iraqi people and to force the Security Council to remain the pawn of a single member, assisted by the old imperialist devil, the English policeman. The Iraqis are hurt even more when they realize that you are not free to speak up and tell the sinner what he needs to hear about right and wrong. And so, he sinks further into the quagmire, until the only thing you can see is the top of his head, his ears and his eyes having already been covered over. It is painful to see the self-styled great Powers within the Security Council incapable of behaving in a responsible manner, in the true sense of the term, and in keeping with their membership of the Security Council. The thing that is most offensive is the haughty and arrogant manner in which America gets them to do its bidding. They plead with America to let them exercise their inalienable rights, as enshrined in the Charter. They ask for guidance or, at best, they negotiate from a position of weakness. And so, America can give or refuse its consent, modify or replace those rights, without feeling any shame or embarrassment about the consequences of its highhanded actions.

Mr. President and members of the Security Council, this is a shameful situation, but one which only strengthens our determination to resist, with the help of God, defending our rights as we walk the path of righteousness, knowing we are engaged in a Great Jihad to protect the rights of our people, our nation and humanity. We do not despair or despond, because we are convinced that the more you resort to brute force, the quicker you will slide into the abyss. The following are some examples of what we have been saying:

1. Eight years have passed and the sanctions have still not been lifted, nor has Security Council resolution 687 (1991), paragraph 22, been implemented, despite the fact that the so-called proscribed weapons and the means of their production have been destroyed and not a single one of the 397 inspection teams and monitoring units, which have carried out over 7,000 visits since

November 1991, involving some 3,200 inspectors, has been able to discover any evidence to the contrary. We are convinced that the members of the Security Council, particularly the permanent members, have failed to acknowledge this established fact with the necessary forcefulness and determination, because they fear America's anger and lack the power to implement paragraph 22 and lift the sanctions. Instead, they leave the matter unresolved, no decision is taken either way and it is all put off until a later date.

2. The areas designated by the 32nd and 36th parallels, imposed on the North and South of Iraq, and interference with Iraq's internal affairs are in contravention of Security Council resolutions, despite America's claims that they are the result of Security Council decisions. None of the other members of the Security Council has been able to reproach America and the United Kingdom, their fellow members and permanent members of the Council, for the aggressive attacks they have both made on the sovereignty and integrity of Iraq and to insist that they change their behaviour.

3. The presence of naval fleets and air forces in and around the Arab Gulf has all the appearance of an occupation. The various excuses used to justify this situation are constantly changing, so that a new and differently coloured veil can be donned each time. The purpose behind it all is to colonize the region, taking control of its oil reserves, placing the world in the grip of a new imperialism allied to Zionism and threatening Iraq and the other peace-loving nations of the Gulf.

4. Double standards are used in dealing with the Arab nation and the Islamic world. The Security Council has failed to implement its resolutions concerning Palestine and other issues and has failed to keep the promises made to certain Arab States during preparations for the aggression by the 30-power alliance against Iraq. The Zionist entity (Israel) has been given a free hand to pick fights with and threaten and use violence against the Palestinians, Lebanon, Syria and other Arab States.

5. Butler, the head of the so-called Special Commission, has not been replaced, despite the fact that every statement and claim that he makes has been shown to contain unfounded accusations and blatant lies. He has failed to present an accurate account of the progress made, so that the Commission can proceed as it should, dealing with the disarmament issue on the basis of objective criteria and ensuring that the Commission is truly impartial. This would offer a glimmer of hope that the members of the Security Council would shake off the paralysis and inertia which seems to have afflicted so many of them.

Our approach may not be conventional, particularly at a time when many leaders, as opposed to peoples, believe that it is America that decides on matters of life and death. However, we believe that God alone decides these things and that He bestows great qualities on those who speak the truth and who defend Him in this world and the next. American policy is naught but that of a castrated bull. Soon, it will fall into the abyss. The people's is a noble cause. On the Last Day, the sinner will be burned for his sins and the standard of the Almighty God will be hoisted high, fluttering in the breeze, while the voice of good will prevail over evil in all corners of the universe. And, as

the Prophet said: whosoever of you sees a reprehensible action, let him change it by his hand, and if he can not do that, then by his tongue, and if he can not that, then by his heart. This is the strongest faith.

In saying these things, some of which may even hurt your feelings, we do not seek to imply that any of you is lacking in human feeling, particularly as our only wish is to show greater respect for your peoples and your nations. For, as it says in the Holy Qur'an, in the Name of God, the Merciful, the Compassionate:

> "O mankind! Lo! We have ... made ye nations and tribes, so that ye may know one another. Lo! the noblest of you in the sight of Allah, is the best in conduct." (Qur'an, 49:13)

Rather, we have sought to draw your attention to facts which demonstrate both the savagery of some barbaric members of the Security Council and the weakness of others, or the inability of some of those involved in these matters to understand and use their power as they should. We want to convey the following message in the strongest possible terms: as it says in the Holy Qur'an, in the Name of God, the Merciful, the Compassionate:

> "Sanction is given unto those who fight because they have been wronged; and Allah is indeed able to give them victory." (Qur'an, 22:39)

The fact that the Iraqi people, after eight years, see not the slightest chance of the sanctions being lifted, despite all the sacrifices they have made in cooperating with the Security Council and the Special Commission, will have grave consequences.

Despite all this, it is our moral, constitutional and humanitarian responsibility to wait and see how the Security Council will respond to this letter of ours. The Arab nation and glorious Iraq, which have withstood and defeated all the old colonial imperialists, as well as the invasions of the Mongols and the Tatars, are strong enough to defend their security, rights and sovereignty.

Every dog has its day ...
The unjust will see how fortunes can be reversed ...
God is Great ... God is Great ...
May the despicable ones be reviled!

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4 May 1998
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LETTER DATED 2 MAY 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you as follows:

1. At 1900 hours on 20 April 1998, three United States military aircraft flew over the village of Hammam in Gharraf district, Dhi Qar Governorate, in southern Iraq, and dropped heat flares over the village wheat and barley crops. The pall of smoke from the flares covered an area of approximately one kilometre.

2. At 0030 hours on 23 April 1998, when the naval light vessel Al-Bakr, returning to the General Establishment for Iraqi Ports, was at the mouth of the Khawr Abdullah waterway, a United States military helicopter circled above it. It lowered a rubber boat with seven armed men on board, of whom five boarded the aforementioned vessel while two remained on the boat. The crew of the Al-Bakr was made to assemble outside the captain's quarters while the vessel was searched and its papers scrutinized. At 0215 on the same day, the military personnel left the vessel, having found nothing on board.

You are requested to intervene with the Government of the United States of America with a view to bringing a halt to these unjustified acts of aggression that, as violations of the Charter of the United Nations and the provisions of international law, pose a threat to the sovereignty and territorial integrity of a State Member of the United Nations.

The Republic of Iraq affirms its legitimate right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these provocative actions.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

98-12279 (E) 050598 050598

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General Assembly
Security Council

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4 May 1998

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GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 4 May 1998 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 30 April 1998, I have the honour to draw your attention to further violations of the airspace of the Republic of Cyprus and of the flight information region of Nicosia by military aircraft of the Turkish Air Force.

On 30 April 1998, between 1418 and 1635 hours, four formations, consisting of two F-16, two F-4, two RF-4 and an additional two RF-4 aircraft of the Turkish Air Force, entered the flight information region of Nicosia from a northerly direction, violating the national airspace of the Republic of Cyprus, and flew over the areas of Morphou, Kyrenia and the Cape of Apostle Andreas.

These new violations, which occurred on the eve of renewed efforts to achieve a solution to the Cyprus problem, constitute provocative actions which expose once more the blackmailing attitude of Turkey and are a testament to that country's systematic disregard of the norms of international law.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest these new violations of the sovereignty and territorial integrity of the Republic of Cyprus, which are in complete disregard of the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus, as well as the regulations of the International Civil Aviation Organization.

I should be grateful if you would have the text of the present letter circulated as a document of the fifty-second session of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Sotirios ZACKHEOS
Ambassador
Permanent Representative

98-12259 (E) 040598

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General Assembly
Security Council

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5 May 1998

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GENERAL ASSEMBLY
Fifty-third session
Items 10, 112 and 157 of the preliminary list*
REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ORGANIZATION
RIGHT OF PEOPLES TO SELF-DETERMINATION
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-third year

Letter dated 4 May 1998 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

On the night of 26 to 27 April 1998, 22 civilians, including 7 men, 7 women and 8 children (ages 3-10) belonging to two Kashmiri families, were massacred in cold blood at Seri, Village Bandala (District Bhimber) in Azad Kashmir. Two others were seriously injured. The site of the crime lies at a distance of approximately 600 metres from the line of control on the side of Azad Jammu and Kashmir.

A thorough week-long investigation into the massacre has been conducted. After a careful evaluation of all the evidence (details are provided in the attached annex), it has been established beyond any reasonable doubt that it is a trans-line of control act of terrorism by the Indian armed forces.

This blatant incursion across the line of control by Indian military personnel has raised tension to an even higher level, increasing further the threat to peace and security in the region. It also adds a new destabilizing dimension to the Jammu and Kashmir dispute, which remains a major flashpoint in the world.

I have been instructed to request you to bring the aforementioned serious violation of the line of control and heinous act of Indian terrorism to the immediate attention of the Security Council.

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* A/53/50.

In view of the gravity of the situation on the line of control, it is important that the United Nations Military Observer Group in India and Pakistan (UNMOGIP) be strengthened and enabled to play its indispensable role in the maintenance of peace in this volatile region.

I would appreciate it if the present letter could be circulated as an official document of the General Assembly, under items 10, 112 and 157 of the preliminary list, and of the Security Council.

(Signed) Ahmad KAMAL
Ambassador
Permanent Representative

ANNEX

Details of the massacre of 22 persons in Jammu and Kashmir on the night of 26 to 27 April 1998

Location	Seri, Village Bandala (District Bhimber), Azad Jammu and Kashmir (600 metres from the line of control inside Azad Jammu and Kashmir.
Casualties	Twenty-two dead - seven men, seven women and eight children (ages 3-10) and two others seriously injured. All the victims belonged to two families.
Nature of the attacks	The victims were incapacitated prior to the attack by the possible use of canister gas. Most of them were shot in the head with 9 mm bullets from silencer-fitted weapons. Daggers were used to mutilate the bodies. The victims were in bed at the time of the killing.
Evidence	The presence of Indian ammunition cases, watch and daggers on the site: an Indian-made watch (Digiana Time), reflecting India and Pakistan standard times, a dagger and dagger grip, and several written notes were recovered from the scene of the crime. Thirty-four fired 9 mm cases and five or six AK-47 cases were found at the site. The 9 mm cases bore the markings of the Kirat Ordnance Factory, India. Eye witness accounts confirm that assailants withdrew across the line of control into Indian-occupied Kashmir after the attack. Soon after the attack Verey light signals were sighted from Indian-held positions. The approach was methodical and carried out with military precision. The operation involved deployment of action and protection groups.

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LETTER DATED 5 MAY 1998 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

As representative of the State which presides over the statutory bodies of the Commonwealth of Independent States (CIS), I have the honour to transmit herewith the text of a decision of 28 April 1998 of the CIS Council of Heads of State on additional measures for the settlement of the conflict in Abkhazia, Georgia.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Sergei LAVROV

98-12432 (E) 060598 060598

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Annex

Decision of 28 April 1998 on additional measures for the settlement of the conflict in Abkhazia, Georgia

The Council of Heads of State of the Commonwealth of Independent States,

Stressing its unwavering commitment to the sovereignty and territorial integrity of Georgia,

Welcoming the resumption of direct bilateral negotiations between the Georgian and Abkhaz parties and the active assistance of the Russian Federation in this process, and the initiative announced by Ukraine at the fifty-second session of the United Nations General Assembly to intensify its participation in the settlement of the conflict in Abkhazia, Georgia,

Noting the significance of the Geneva meetings of the Georgian and Abkhaz parties in the presence of representatives of the Russian Federation in its capacity as facilitator, the Organization for Security and Cooperation in Europe (OSCE) and the States which are members of the Group of Friends of the Secretary-General of the United Nations, and the entry into operation of the Coordinating Council and its working groups,

Guided by the provisions of the memorandum on the maintenance of peace and stability in the Commonwealth of Independent States (Almaty, 10 February 1995) and the statement by the Council of Heads of State of the Commonwealth (Minsk, 26 May 1995) on overcoming the threat of separatism as the most important condition for ensuring stability in the Caucasus and settling conflicts in that region, confirming its previous decisions of 19 January 1996 and 28 March 1997 aimed at achieving a comprehensive political settlement in Abkhazia, Georgia, and stressing the need for their implementation,

Once again expressing serious concern that, because of the non-implementation of a number of decisions adopted earlier within the framework of the Commonwealth, the process of the organized return of refugees has not yet begun,

Noting with concern that, because of the obstructive position of the Abkhaz party to the conflict, the negotiations on defining the political status of Abkhazia, Georgia, have come to a standstill,

Expressing serious concern about the holding of elections to so-called organs of local self-government in Abkhazia, Georgia, that cannot be recognized as legitimate at a time when the political status of Abkhazia has not been defined and the problem of the return of refugees and displaced persons has not been resolved, which has effectively led to an exacerbation of the situation in the conflict zone and impeded progress towards a comprehensive settlement,

Noting with concern the escalation of acts of sabotage and terrorism, the kidnapping of personnel of the Collective Peacekeeping Forces (CPF) and of the United Nations Observer Mission in Georgia, and other acts of violence in the conflict zone, the victims of which are the civilian population, refugees and displaced persons,

Stressing the need for the immediate implementation of the measures envisaged in the decision of the Council of Heads of State of the Commonwealth of 28 March 1997, which would guarantee the beginning of the process of the organized return of refugees and displaced persons,

Has decided:

1. To extend, with the consent of the parties, the stay of the Collective Peacekeeping Forces in the conflict zone in Abkhazia, Georgia, to 31 July 1998 or until such time as one of the parties to the conflict, believing that the provisions of this decision have not been fulfilled, expresses its wish to terminate the operation;

2. To regard as inadmissible any further delay in the process of the organized return of refugees and displaced persons throughout the territory of Abkhazia and to demand urgently that the organized return of refugees and displaced persons should begin and that their return to the Gali district (within the old borders) should be completed by the end of 1998 on the basis of the mechanisms worked out by representatives of the parties, the Russian Federation and the Office of the United Nations High Commissioner for Refugees,

Only in immediate, direct coordination with the process of the steady, organized return of refugees and displaced persons, above all to the Gali district (within the old borders), should action be taken for the economic recovery of the region and the normalization of the border and customs regimes,

To recommend urgently that the parties to the conflict should consider and resolve the question of the establishment, at the stage of the return of refugees and the full normalization of life in the Gali district (within the old borders), of a temporary transitional administration, which would work with the direct participation of the intermediaries, the United Nations and OSCE;

3. That the CPF command, in coordination with the parties, should ensure the implementation of the measures envisaged in the decision of the Council of Heads of State of the Commonwealth of 28 March 1997.

Within one month, on the basis of a mechanism worked out by the parties to the conflict, a plan should be drawn up to redeploy CPF, including a plan to bring the Unified Headquarters of CPF closer to areas in which CPF units are deployed, and other measures associated with the organized return of refugees and displaced persons, especially to the Gali district (within the old borders).

The CPF command should devote increased attention to ensuring, in accordance with the CPF mandate, the safe operation of vitally important structures in the security zone, in particular, the Inguri hydroelectric power station, bridges, the water supply system, and so on;

4. To express grave concern that the provisions of the decision of the Council of Heads of State of the Commonwealth of 28 March 1997 concerning the expansion of the security zone have remained unimplemented.

To call on the Abkhaz party to revert to this question, to consider it and to resolve it favourably.

In the event of opposition to the return of refugees and the emergence of a threat to peace and security in the region, to consider the question of introducing appropriate changes in the nature and content of the peacekeeping operation on the basis of the appropriate provisions of the Charter of the United Nations applicable in such cases;

5. The Council of Heads of State of the Commonwealth calls upon the States members of the Commonwealth of Independent States which signed the decisions on the deployment of CPF in the Georgian-Abkhaz conflict zone and on confirming the mandate for the conduct of peacekeeping operation in the Georgian-Abkhaz conflict zone to take a more active part in the peacekeeping operation together with the Russian Federation, which is at present bearing the whole burden of this operation;

6. To seek the cooperation of the international community and international organizations in resolving the socio-economic and humanitarian problems of the population caused by the conflict;

7. To consider it essential to approach the United Nations with regard to the inclusion in the United Nations Observer Mission in Georgia of a group of observers from the States members of the Commonwealth of Independent States;

8. To instruct the Executive Secretariat of the Commonwealth of Independent States, with the participation of the headquarters for the coordination of military cooperation by the States members of the Commonwealth, to report on a systematic basis to the Heads of State of the Commonwealth of Independent States on the implementation of the decisions of the Council of Heads of State of the Commonwealth relating to the settlement of the conflict in Abkhazia, Georgia;

9. To inform the United Nations Security Council of this decision of the Council of Heads of State of the Commonwealth.

This decision shall enter into force on the date of its signature.

Done in the Russian language, in accordance with the procedure established in rule 20, paragraph 6, of the rules of procedure of the Council of Heads of State and the Council of Heads of Government of the Commonwealth of Independent States. The original copy shall be deposited with the Executive Secretariat of

the Commonwealth of Independent States, which shall transmit a certified copy to each State which has signed this decision.

For the Republic of Armenia

R. KOCHARYAN

For the Republic of Moldova

For the Azerbaijani Republic

G. ALIYEV

For the Russian Federation

B. YELTSIN

For the Republic of Belarus

For the Republic of Tajikistan

For Georgia

E. SHEVARDNADZE

For Turkmenistan

For the Republic of Kazakhstan

N. NAZARBAEV

For Ukraine

For the Kyrgyz Republic

A. AKAEV

For the Republic of Uzbekistan

I. KARIMOV

UNITED NATIONS **S**

Security Council

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GENERAL

S/1998/373
6 May 1998
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 5 MAY 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States aircraft continued between 16 and 30 April 1998 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

Your intervention is requested with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Violations of Iraq's airspace and damage caused, 16-30 April 1998

1. In the northern region 92 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following cities and towns: Dohuk, Mosul, Amadiyah, Aqrah, Zakho, Irbil, Tall Afar and Ayn Zalah.

2. In the southern region 781 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Artawi, Ushbayjah, Jalibah, Salman, Busayyah, Qurnah, Chabaish, Shinafiyah, Rumaythah, Habbariyah, Basra, Hayy, Shatrah, Amarah, Diwaniyah, Rifa'i, Nukhayb, Qal'at Sukkar, Hisan, Suq al-Shuyukh, Hamzah, Maymunah, Abu Sukhayr, Nu'maniyah, Umm Qasr and Shu'aybah.

3. Seven violations were committed by TR-1 reconnaissance aircraft flying at altitudes of 20,000 metres and at speeds of 600 kilometres per hour.

4. At 0155 hours on 30 April 1998, a formation of two United States aircraft broke the sound barrier over Basra.

UNITED NATIONS **S**

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6 May 1998

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1138 (1997) of 14 November 1997. It brings up to date the record of developments in Tajikistan and the activities of the United Nations Mission of Observers in Tajikistan (UNMOT) since my report of 10 February 1998 (S/1998/113).

II. MAIN DEVELOPMENTS

2. During the past three months, the peace process has been disrupted by violence and has made only slow progress. The main step forward was the appointment, on 12 February 1998, of five members of the United Tajik Opposition (UTO) to cabinet-level posts. Further, on 27 February, Mr. Akbar Turajonzodah, deputy leader of UTO, returned to Tajikistan and was appointed, on 10 March, as First Deputy Prime Minister for economic relations with the Commonwealth of Independent States (CIS). On 20 April, Mr. Abdullo Nuri, the UTO leader, submitted to President Emomali Rakhmonov the names of UTO representatives for appointment to the eight remaining national government posts. The Government has not so far submitted a list of posts to be allocated to UTO at the regional and local levels. UTO has not yet named its representatives to fill the 25 per cent of seats allocated to it on the Central Commission on Elections and Referenda.

3. The registration of UTO fighters continued in the districts immediately east of Dushanbe but was interrupted by serious clashes at the end of March. They were preceded by attacks against government positions in and near Komsomolabad on 9 and 12 March. On 17 and 18 March government positions were attacked at Faizabad, resulting in casualties. Those incidents were investigated by UNMOT and the Commission on National Reconciliation (CNR), following complaints by the Government to UNMOT. The Government accused a UTO field commander operating in the Komsomolabad area of being responsible for the attacks, but no conclusive evidence was found to confirm the accusation. For its part, UTO complained that the Government had purposely provoked its personnel by making unwarranted arrests. UTO leaders have confirmed that its field commanders in the area have continued to recruit fighters.

4. The situation deteriorated on 24 March, when opposition fighters attacked a police unit in Kofarnikhon, killing six servicemen. The Government brought in reinforcements, and extended exchanges of fire ensued. An UNMOT/CNR team went to the area to establish the facts and to stabilize the situation. However, it was compelled to return to Dushanbe after getting caught in crossfire. The next day an opposition group attacked and overran an army unit near Romit, 20 kilometres east of Kofarnikhon, killing a number of soldiers and taking more than 100 prisoner. According to government reports, as many as 40 persons were killed on those two days, and 17 are still missing. A statement made on 25 March through my spokesman condemned those attacks and called upon the UTO leaders to withdraw their personnel, and also urged the Government and UTO to work together in order to restore law and order, in accordance with their commitments under the peace accords.

5. Mr. Gerd D. Merrem, my Special Representative, worked closely with the Government, UTO, CNR and the Contact Group of guarantor States and organizations to contain the crisis. A ceasefire was established on 25 March and held, except for exchanges of fire on 29 and 30 March. On 29 March CNR, in the presence of the Contact Group, agreed to the following: release of prisoners, disengagement of forces, garrisoning of UTO fighters in the area without delay and an investigation to determine responsibility. The same day, the opposition released 16 government soldiers. After further tense and difficult negotiations in which the Chief Military Observer of UNMOT participated, another 73 soldiers were released on 30 March and 16 more on 1 April. On 5 April the parties began the simultaneous withdrawal of forces to the positions existing on 23 March. The disengagement was monitored by a high-level group, including CNR Chairman Nuri, Deputy Chairman Abdumadjid Dostiev and members of UNMOT.

6. The registration of UTO fighters in the Kofarnikhon area resumed shortly afterwards. A total of 4,335 fighters have been registered so far in all areas, 899 of them at Magmurud and in three locations in the Kofarnikhon district. However, the fighters do not stay permanently in the assembly areas; most of them live at home with their families. Only 1,562 weapons have been registered and only some of those are stored in the assembly areas. UNMOT has raised this matter repeatedly with CNR, and the Contact Group expressed its concern about it in a statement issued on 1 May.

7. On 29 April severe fighting broke out between elements of UTO and government forces between Teppei-Samarkandi and Dushanbe, including the eastern portions of the capital itself. The fighting appears to have been triggered by the arrest of three UTO members on criminal charges. UNMOT worked closely with the Contact Group to defuse the situation. In a televised broadcast, UTO deputy leader Akbar Turajonzodah stated that the armed actions were not endorsed by the UTO leadership and called upon the field commander responsible to cease fire. On 1 May, I expressed serious concern about this flare-up of hostilities, noting that it carried the risk of acceleration and called upon the Government and UTO to work together to stop all fighting and to restore calm. On 2 May President Rakhmonov chaired a meeting of the Government and UTO in which Mr. Turajonzodah was appointed to lead a special commission established to restore the ceasefire, achieve the withdrawal of government troops to their barracks and of opposition fighters to assembly areas, and set up joint Ministry of Interior and 25th army battalion checkpoints and patrols. The 25th battalion

comprises the 460 UTO personnel stationed in Dushanbe when CNR took up its work there. A ceasefire began to take hold on 3 May, and as at the date of the present report the situation remained quiet but tense.

8. Slow implementation of the amnesty law has contributed to the reluctance of UTO personnel to go to the assembly areas. To date, CNR has reviewed 1,370 cases and referred them to the Government for action. Of those, 399 persons have received amnesty. One reason for the slow pace are differences of opinion over the application of article 4 of the Amnesty Law, which excludes from amnesty persons accused of terrorism, banditry, smuggling, large-scale embezzlement of public funds, premeditated murder, sexual assault and crimes involving narcotics.

9. There have been no new developments concerning the revision of the Constitution. Draft laws on political parties and public associations are to be taken up at the next session of Parliament, scheduled to begin on 21 May, although they are not yet listed on the agenda.

10. Although the clashes in March and April/May were contained quickly, they reinforced the mistrust between the two sides, which continued to complicate and delay the implementation of the peace agreement. UTO gives priority to power-sharing in accordance with the 30 per cent formula, while the Government gives priority to the implementation of the military protocol and is reluctant to move forward on power-sharing and other political issues as long as UTO retains its military capacity.

11. In order to reconcile the competing priorities of the parties, Mr. Merrem and his staff have advised them to proceed in a balanced manner, setting themselves concrete intermediate goals. On 21 April the Contact Group issued a press release in which it urged the parties to complete by 31 May the first phase of the military protocol, that is, the complete registration and garrisoning of the UTO fighters in the assembly areas and the appointment of UTO representatives to the remaining eight positions in the central Government. It also set a deadline of 30 April for the Government to provide to CNR a list of the persons amnestied so far and of the pending cases, the approval of the draft concept paper on constitutional amendments and the forming of the Central Electoral Commission with 25 per cent UTO participation. On 29 April CNR adopted its own detailed timetable. It envisages, by July, the appointment of UTO representatives at all levels of Government in accordance with the 30 per cent formula, the full implementation of the military protocol and, consequently, the lifting of the ban on certain political parties, the formation of the Electoral Commission, the drafting of constitutional amendments and the return of all refugees from abroad.

12. The Government has created a unit for the coordination of post-conflict rehabilitation projects, which administers a $10 million credit allocated by the World Bank. The unit deals with immediate general budgetary needs associated with the peace agreement as well as specific reconstruction projects in the Karategin Valley, such as the repair or rebuilding of bridges and roads and the rehabilitation of social infrastructure (schools, hospitals, etc.) and other infrastructure damaged during the war.

13. Projects in support of the demobilization of fighters have been elaborated by UNMOT and United Nations agencies and services. One of the priorities is the creation of jobs through labour-intensive projects for the rehabilitation of the infrastructure in the Kofarnikhon and Garm districts and in the Karategin Valley. The United States Agency for International Development has indicated its willingness to fund such projects. Other projects include vocational training and start-up packages for reintegration into civilian life. Funding is being sought from the countries that pledged contributions at the donor conference held in Vienna on 24 and 25 November 1997. It is also relevant to mention ongoing programmes by the United Nations Office for Project Services and the Agha Khan Foundation, which provide assistance for farming on leased land.

14. The Office of the United Nations High Commissioner for Refugees continued the repatriation of refugees from Turkmenistan and Kyrgyzstan. As at mid-April, 800 Tajik refugees (out of an estimated total of 3,000) had been repatriated from Turkmenistan, and repatriation from Kyrgyzstan, which harbours approximately 16,000 Tajik refugees, had begun.

III. SECURITY

15. The security situation continued to give cause for concern. In addition to the events described above, there were numerous incidents in Dushanbe and vicinity which, while not involving United Nations personnel, demonstrated the continuing volatility of the situation. During the efforts to end the clashes in March and April/May, there were also clear indications that the UTO leaders exercised only limited control over some of their field commanders. Difficulties in this regard were also noticed on the government side, although they were less pronounced.

16. Detailed discussions were held in January and February with the Collective Peacekeeping Forces of CIS, in which a number of options for security assistance were identified. The commander of the CIS Peacekeeping Forces was to seek instructions from his superiors on the subject and then revert to UNMOT.

17. The special unit of army and former UTO members that is to provide security for United Nations personnel has been slow to take shape, and the Defence Minister's formal directive for the establishment of the unit was signed only on 9 April. Training of the unit's officers began in mid-March and has now been completed. The trainers were made available to UNMOT by the Government of Poland. The unit continues to face a shortage of essential equipment, and it is difficult to forecast when it will be operational. In the meantime, I have given instructions to re-examine other options in case these difficulties cannot be overcome.

18. It has not been possible to find premises in Dushanbe that are ready and suitable for the accommodation of United Nations offices and personnel. However, staff have been concentrated near the centre of the city, making it easier for the authorities to provide security. A range of precautions have been instituted to reduce the risk to individual staff; a night-time curfew remains in effect.

IV. HUMANITARIAN AND REHABILITATION ACTIVITIES

19. A consolidated appeal for Tajikistan was launched in Geneva in March for a total of $34.6 million for 1998 to extend interventions undertaken in the framework of the donor alert, which expired at the end of 1997.

20. The Food and Agriculture Organization of the United Nations, the United Nations Office for Project Services, the World Food Programme (WFP) and 10 non-governmental organizations have started to provide agricultural support for the spring planting season to more than half of the 51 districts in Tajikistan. The recent insecurity, coupled with heavy rains and landslides, however, has hampered activities in the Karategin Valley. General food distribution to the most vulnerable individuals and groups continued. WFP and other food suppliers are currently investigating the gradual phasing out of food distribution in favour of food-for-work programmes, including food production on leased land, canal clearing and road and shelter reconstruction. The Office for Project Services, the German Society for Technical Cooperation and the International Federation of Red Cross and Red Crescent Societies have improved water supply systems and irrigation schemes, especially in rural areas. Essential chemicals and spare parts continue to be supplied to Dushanbe to support ongoing typhoid prevention programmes. Flood prevention through canal clearing and rehabilitation of irrigation channels was intensified.

21. The World Bank is organizing a Joint Consultative Group meeting in Paris on 20 May in order to mobilize resources for development from both bilateral donors and international financial institutions.

V. ORGANIZATIONAL MATTERS

22. As at April 1998, UNMOT comprised 68 military observers from Austria (5), Bangladesh (8), Bulgaria (6), Denmark (4), Ghana (4), Indonesia (4), Jordan (6), Nigeria (4), Poland (11), Switzerland (7), Ukraine (3) and Uruguay (6), and 110 civilian personnel, 35 of whom were internationally recruited. In addition to its headquarters in Dushanbe, UNMOT maintained team sites in Garm, Kalaikhumb, Khorog, Khujand and Kurgan-Tube.

23. UNMOT has remained well under its authorized strength, and in March contributors were requested to provide additional military observers. Because of the fighting in the Kofarnikhon area, action on the reinforcement was deferred. Contributors were again approached at the end of April, prior to the clashes east of Dushanbe. Since these clashes have been contained, it is intended to proceed with the reinforcement, subject to developments on the ground.

24. UNMOT maintains two helicopters, which are essential to ensure the unhindered movement of its teams and the supply of outlying stations. From the end of February to 10 March, UNMOT was without helicopter support and temporarily had to relocate teams to Dushanbe owing to extraordinary difficulties in obtaining the clearances necessary for the helicopters to operate, which lasted for two months.

25. As in the past, UNMOT cooperated closely with the office of the Organization for Security and Cooperation in Europe on matters of constitutional reform and democratization. It maintained close contact with the CIS Peacekeeping Forces regarding the maintenance of the ceasefire and security, and remained in touch with the Russian Border Forces on matters of mutual concern.

26. Mr. Merrem continued as my Special Representative. He is due to retire at the end of May, and I shall revert to the Security Council concerning his successor. Brigadier-General Boleslaw Izydorczyk (Poland) ended his assignment as Chief Military Observer on 14 April 1998. He was succeeded by Brigadier-General Tengku Ariffin Bin Tengku Mohammed (Malaysia).

VI. FINANCIAL ASPECTS

27. The General Assembly, in its resolution 52/229 of 31 March 1998, appropriated a total amount of $15 million gross for the expansion of UNMOT for the period from 1 July 1997 to 30 June 1998, which includes the amount of $8,275,700 gross already appropriated by the General Assembly in its resolution 51/237 of 13 June 1997.

28. The proposed budget for the maintenance of UNMOT from 1 July 1998 to 30 June 1999 (A/52/772/Add.2) is currently under consideration by the General Assembly. The cost of maintaining UNMOT for the 12-month period is estimated at $22,282,100 gross, assuming continuance of its currently authorized strength and mandate. Therefore, should the Security Council decide to extend the mandate beyond 15 May 1998, the cost of maintaining the Mission would be limited to the amounts indicated above.

29. As at 30 April 1998, unpaid assessed contributions to the Special Account for UNMOT from the inception of the Mission to 15 May 1998 amounted to $7.2 million, which represents some 22 per cent of the assessment for the Mission. The unpaid assessed contributions for all peacekeeping operations amounted to $1.6 billion.

VII. OBSERVATIONS

30. During the past three months, progress in the peace process has been very slow, and it has become clear that the task of building confidence between the former adversaries is more difficult than anticipated and will take longer than allowed for in the ambitious timetable of the peace agreement. As a result, it now seems unlikely that elections can be held in 1998.

31. At the same time, such progress as was made, notably the appointment of six UTO representatives to the national Government and the containment of the crises in March and late April/early May, indicates the interest of both sides in continuing the peace process. There are signs of a growing realization that it is necessary to proceed in a balanced manner, taking into account the priorities of both sides. I fully support the approach adopted in this regard within the framework of the Contact Group, which has identified a number of immediate objectives, notably the completion of the first phase of the military protocol

and the appointment of UTO representatives to the remaining eight government positions to be filled by them. The contribution made by the members of the Contact Group has been crucial to the process.

32. It is clear that comprehensive international support remains essential for the continuation of the peace process. UNMOT and the other members of the United Nations system, as well as the Contact Group, provide much-needed impetus and help stabilize the situation during crises. In addition, there is a need for financial assistance to help Tajikistan, which is one of the poorest countries, on the path of reform and development. I hope that the meeting of the Consultative Group to be held by the World Bank later this month will bring positive results in this regard.

33. In the light of these considerations, I recommend that the Security Council extend the mandate of UNMOT for a further period of six months, until 15 November 1998. I shall, of course, keep the Council informed of any significant developments.

34. In conclusion, I wish to pay tribute to Mr. Merrem, my Special Representative, who will be retiring at the end of May after a long and distinguished career in the service of the United Nations, to Brigadier-General Izydorczyk, who has recently returned to his national service and to all the men and women of UNMOT. They have conducted themselves in an exemplary manner in very difficult and often dangerous conditions.

وزع بعثة مراقبي الأمم المتحدة في طاجيكستان
اعتبارا من أيار/مايو ١٩٩٨
1998 年 5 月联塔观察团的部署情况
UNMOT DEPLOYMENT AS OF MAY 1998
DÉPLOIEMENT DE LA MONUT EN MAI 1998
РАЗМЕЩЕНИЕ МНООТ НА МАЙ 1998
DESPLIEGUE DE LA UNMOT EN MAYO 1998
0 25 50 75 100 km
0 25 50 75 mi
TAJIKISTAN
UZBEKISTAN
KYRGYZSTAN
CHINA
AFGHANISTAN
PAKISTAN
LENINABAD
KUHISTONI BADAKHSHON
(GORNIY BADAKSHAN)
KHATLON
Dushanbe
Khujand
(Leninabad)
Kulob
(Kulyab)
Qurghonteppa
(Kurgan-Tyube)
Kholm
(Tashkurghan)
Mazâr-e
Sharif
Khorugh
Buved
Taboshar
Kokand
Kanibadam
Bekabad
Chkalovsk
Isfara
Uroteppa
Samarkand
Shahriostan
Panjakent
Ayni
Jirgatal'
Garm
Komsomolabad
Labijar
Lairon
Childara
Kalaihussein
Wakhio
Romit
Magmurid
Obigarm
Tavildara
Sagirdasht
Kalaikhum
Kofarnikhon
Nurek
Hisor
(Gissar)
Leninski
Khovaling
Vanj
Kudara
Rangkul'
Murgab
Dangara
Kalininabad
Shuroabad
Moskovskiy
Kolkhozabad
Kabodion
Nizhniy
Panj
Shaartuz
Shir Khan
Bandar
Panj
Termez
Amu Darya
Kaiot
Rushan
Vir
Dzhartyrabot
Shaymak
Feyzabad
Kazidi
Vrang
Ishkashim
Taloqan
Qonduz
Khanabad
Samangan
Baghlan
Lake Karakul'
Lake Sarezskoye
HQ
T
UNMOT headquarters
Quartier général de la MONUT
Штаб МНООНТ
Sede de la UNMOT
Team site
Antenne de la MONUT
Базы групп на местах
Equipo
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May 1998
Department of Public Information
Cartographic Section

UNITED NATIONS **S**

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11 May 1998

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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. By its resolution 1150 (1998) of 30 January 1998, the Security Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) for a new period terminating on 31 July 1998 subject to a review by the Council of the mandate of UNOMIG in the event of any changes that might be made in the mandate or in the presence of the peacekeeping force of the Commonwealth of Independent States (CIS). In the same resolution, the Council requested me to continue to keep it regularly informed, and to report after three months from the date of the adoption of the resolution on the situation in Abkhazia, Georgia, including on the operations of UNOMIG, and to provide recommendations in that report on the nature of the United Nations presence. The present report is submitted in pursuance of that request.

II. POLITICAL ASPECTS

2. Sustained efforts to move the Georgian/Abkhaz peace process forward continued to be made during the reporting period by my Special Representative for Georgia, Mr. Liviu Bota, and the Russian Federation in its capacity as facilitator, with the assistance of the Organization for Security and Cooperation in Europe (OSCE) and the group of Friends of the Secretary-General. Those efforts were negatively affected by a new wave of tension in the area, marked by an assassination attempt on 9 February against the President of the Republic of Georgia, Mr. Eduard Shevardnadze (see A/53/66-S/1998/115), and deteriorating security conditions in the UNOMIG area of operations. The period was also marked by widespread dissatisfaction among refugees and internally displaced persons in Georgia. During a meeting in New York on 6 April with Mrs. Louise Fréchette, Deputy Secretary-General, the Chairman of the Parliament of Georgia, Mr. Zurab Zhvania, indicated that the authorities were being urged to take action to address the situation.

3. On 22 January, the Coordinating Council, established on the basis of the Concluding Statement of the meeting between the Georgian and Abkhaz parties, held in Geneva from 17 to 19 November 1997, held an extraordinary session in Tbilisi under the chairmanship of my Special Representative and with the

participation of representatives of the two sides to the corflict, the Russian Federation, in its capacity as facilitator, OSCE and the group of Friends of the Secretary-General. Representatives of the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC) and the CIS peacekeeping force, as well as Mr. Zurab Lakerbaia, Secretary of the Georgian/Abkhaz Bilateral Joint Coordination Commission, were also present. The session, which was convened at the request of the Abkhaz side to address the "escalation of diversionary and terrorist activities" in the area, was preceded by meetings of Working Group I, which deals with issues related to the lasting non-resumption of hostilities and to security problems, and of Working Group III, dealing with economic and social problems. The meetings were chaired by their Coordinators, the Chief Military Observer of UNOMIG, Maj.-Gen. Harun-Ar-Rashid, and the Resident Representative of UNDP, Mr. Marco Borsotti, respectively. The Coordinating Council, inter alia, adopted a mandate for the United Nations Needs Assessment Mission to Abkhazia, Georgia (see paras. 18 and 40-43 below), instructed Working Group I to work out a mechanism for investigating and preventing violations of the Agreement on a Ceasefire and Separation of Forces of 14 May 1994 (see S/1994/583 and Corr.1) and subversive/terrorist acts in the zone of conflict; and requested Working Group II, which deals with refugees and internally displaced persons, to convene in order to discuss implementation of the tasks entrusted to it.

4. On 31 March, the third session of the Coordinating Council, which was attended by the same participants, took place in Sukhumi. The Council requested Working Group I to speed up the elaboration of mechanisms for investigating and preventing violations of the Agreement on a Ceasefire and Separation of Forces, as well as subversive and terrorist acts in the zone of conflict. On the proposal of the Russian Federation, the Council decided to examine the legalization of the status of the spontaneous returnees in the Gali sector of Abkhazia, Georgia, and to consider some additional humanitarian assistance from the Russian Federation to the inhabitants of the region. The Coordinating Council also decided to convene, in the second half of the year, a special meeting on measures to be taken to promote an atmosphere of mutual trust and understanding. The Abkhaz head of delegation insisted on changing, in the Russian language, which is the working language of the Council, the names of geographical locations in Abkhazia, Georgia. The Russian facilitator and the Georgian representatives did not accept this. The Council's next session is scheduled for May 1998 in Tbilisi.

5. There were also bilateral contacts between the two sides. The Secretary of the Bilateral Joint Coordination Commission travelled frequently between Tbilisi and Sukhumi. On 24 February, the State Minister of Georgia, Mr. Niko Lekishvili, accompanied by the Ministers of Energy, Transport and Communications and the Head of the Georgian Oil Corporation, visited Sukhumi and met with the Abkhaz leadership within the framework of the Commission. Both sides expressed their satisfaction with the outcome of the talks. On 27 February, the Chairman of the Council of Ministers of the Autonomous Republic of Ajaria visited Sukhumi.

6. During the reporting period, representatives of the Russian Federation met with the two sides to promote progress in the peace process. In the first half

of March, Mr. Lekishvili and the Minister for Foreign Affairs of Georgia, Mr. Irakli Menagarishvili, visited Moscow and participated in sessions of the bodies of CIS, where issues related to the Georgian/Abkhaz conflict were on the agenda. On 17 March, Ambassador-at-Large Lev Mironov of the Russian Federation went to Sukhumi. In March also, the head of the de facto Abkhaz government, Mr. Sergei Bagapsh, and the personal representative of the Abkhaz leader, Mr. Vladislav Ardzinba, to the peace process, Mr. Anri Jergenia, visited Moscow.

7. From 18 to 25 March, an OSCE delegation headed by the Director of the OSCE Office for Democratic Institutions and Human Rights, Ambassador Gerard Stoudman, visited Georgia, including the zone of conflict, and met with representatives of the Government of Georgia and the Abkhaz authorities.

8. During the reporting period, representatives of the European Union also maintained contacts with the two sides. From 1 to 3 April, a delegation consisting of the Ambassadors of France, Germany, Greece and the United Kingdom of Great Britain and Northern Ireland accredited to Georgia, as well as a representative of the European Union Office in Tbilisi, visited Abkhazia, Georgia, where they met with the Abkhaz leadership.

9. During the period, the Government of Georgia announced that, in accordance with an agreement reached with the Russian authorities, Georgian border guards would be taking over from their Russian counterparts the responsibility of patrolling Georgia's maritime border from 1 July 1998. Since this would include the territorial waters along the coast of Abkhazia, Georgia, the Abkhaz side stated that they would resist any attempt by the Government of Georgia to patrol the waters adjacent to the coastline or to control maritime traffic in those waters.

10. On 14 March, the Abkhaz authorities held "local government elections" throughout Abkhazia, Georgia, with the exception of the Gali sector, despite calls by the international community not to hold such elections as long as the political status of the region remained undecided and refugees and internally displaced persons were not given the option to participate. The legality of the elections was denounced by both the Security Council and OSCE and by the spokesman of the Foreign Ministry of the Russian Federation. The Government and the Parliament of Georgia also protested.

11. In paragraph 9 of my report of 19 January 1998 (S/1998/51), I informed the Council that the Abkhaz "Parliament" had passed a privatization "law", which the Government of Georgia had declared illegal and had warned that its eventual implementation could complicate the process of a peaceful settlement. During the reporting period, the Abkhaz authorities continued their preparations to implement the "law" and set up a property management committee for carrying out a privatization process. In response, on 1 April the Georgian Parliament issued a statement stipulating that any legislation passed by the Abkhaz authorities was null and void and that any civil and legal transaction violating Georgian legislation on property was also invalid. The statement pointed out that a privatization process on the territory of Abkhazia, Georgia, would be possible only after the territorial integrity of Georgia had been restored and refugees as well as internally displaced persons had returned.

12. Between 12 March and 24 April, representatives of some Georgian political parties together with refugees and internally displaced persons, held demonstrations at the main bridge over the Inguri River. The participants voiced a number of demands concerning a settlement of the Georgian/Abkhaz conflict, including the prompt repatriation of refugees and internally displaced persons, a major role for "people's diplomacy" and the withdrawal of the CIS peacekeeping force from the zone of conflict. Although the number of participants varied from tens to hundreds or, on some occasions, even thousands, they continually blocked the M-27 road, thus hampering the operations of UNOMIG and of humanitarian organizations (see para. 15 below).

III. HUMANITARIAN SITUATION AND HUMAN RIGHTS

13. UNHCR, ICRC, Acción Contra el Hambre (ACH), Médecins sans Frontières (MSF-France) and the United Methodist Committee on Relief are the primary agencies addressing the needs of civilians in Abkhazia, Georgia. The United Nations Office for the Coordination of Humanitarian Affairs facilitates coordination in the region. The United Nations Children's Fund (UNICEF) continues its vaccination programme, with support from MSF-France.

14. As part of its multisectoral programme, UNHCR provides roof rehabilitation kits to civilians returning to their homes. ACH, with UNHCR support, completed its 1997 school rehabilitation programme at the end of February, rehabilitating a total of 17 schools in the Sukhumi region. ACH has also renovated the hospital in Tkvarcheli, also with UNHCR support. In 1998, UNHCR plans to distribute fertilizer to returnees, internally displaced persons and vulnerable families to improve yields of corn and mandarin oranges. UNHCR maintains its support for a local non-governmental organization, Peace and Accord, to provide emergency assistance to elderly women in Sukhumi. Première Urgence has recently begun an emergency apartment rehabilitation programme for extremely vulnerable elderly people living in Sukhumi. In the Kodori Valley, Counterpart International is addressing emergency needs. The Halo Trust continues its demining activities along the Gumista and Inguri Rivers.

15. As noted above, the blockade of the main bridge over the Inguri (see para. 28 below) has seriously impeded the delivery of humanitarian assistance to civilians in need in Abkhazia, Georgia. The protest forced UNHCR to halt all distribution of roof kits to returnees in the Gali region and risked forcing the Office to curtail its fertilizer distribution programme as well. The UNICEF plans to strengthen its immunization programme, provide basic medicines and supplies to hospitals and clinics and supply school kits throughout Abkhazia, Georgia, were put on hold. ACH soup kitchens were forced to reduce daily food rations for 3,000 elderly people, mostly ethnic Russians and Georgians, because the organization's food supplies could not be transported across the bridge. Counterpart International was unable to deliver medical supplies and equipment or school furniture to the Gali region or to Sukhumi. The United States Agency for International Development (USAID)-funded Adventist Development and Relief Agency International delayed implementation of a health training project and an income-generation project in Sukhumi because the protest was blocking its only route into the region. Likewise, the deadline for a $5 million USAID request for applications for projects in health and education rehabilitation had to be

postponed several times because applicants could not travel safely across the Inguri River to conduct assessments.

16. In view of the deteriorating security situation in the region during the reporting period, including more frequent cases of armed robbery, car-jacking and looting, aid agencies have repeated their concerns to the Government of Georgia and the Abkhaz authorities and have called on them to provide full support to ensure that humanitarian assistance can continue to reach civilians in need.

17. The level of support from the international donor community for humanitarian programmes in Abkhazia, Georgia, does not yet meet the needs of the region, in particular in the areas of return. However, the United States of America is planning to provide $5 million for the rehabilitation of health and educational facilities. It is hoped that donors will come forward with contributions so that current programme levels can be maintained. In February, the United Nations Office for the Coordination of Humanitarian Affairs, in close cooperation with UNHCR and other agencies, organized a visit to the region for the Minister for Development Cooperation of the Netherlands.

18. In the period from 4 February to 4 March, a 23-member needs assessment mission, headed by Mr. Bert Bernander and consisting of representatives of UNDP, UNICEF, the Food and Agricultural Organization of the United Nations, the World Food Programme, the World Bank, USAID, the Government of the Netherlands and the German Agency for Technical Cooperation, visited Abkhazia, Georgia. The mission, which was accompanied by representatives of the Governments of the Russian Federation and Greece, acted under the aegis of the United Nations, within the mandate of Working Group III of the Coordinating Council. In March, the mission issued its report (see paras. 40-43 below).

19. The Human Rights Office in Sukhumi continued its work on promotion and protection of human rights in Abkhazia, Georgia. Cooperation with OSCE within the framework of the Human Rights Office is fruitful. On 13 February, the Office issued a press release expressing concern regarding the restrictions on education in the Georgian language in schools of the Gali district. The Head of the Office, Ms. Elisabeth Stam, relinquished her post at the end of February 1998 after completing one year of service. The Office of the United Nations High Commissioner for Human Rights is making arrangements to send a replacement. An additional Junior Human Rights Officer is also being recruited.

IV. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

20. UNOMIG continues to be headed by my Special Representative, Mr. Liviu Bota (Romania). In the context of my efforts to strengthen the Mission's political element (see S/1997/340, para. 39), I have now appointed Ms. Heidi Tagliavini (Switzerland) Deputy Head of UNOMIG. Ms. Tagliavini, who assumed her duties on 24 March, is stationed in Sukhumi and travels as necessary to Tbilisi.

21. Since I last reported to the Security Council and until the 19 February hostage-taking incident (see para. 24 below), UNOMIG continued to operate in the

security and restricted weapons zones of the Zugdidi and Gali sectors and in the Kodori Valley and was able to implement its mandated tasks effectively. However, in the wake of the above-mentioned incident, the Mission's modus operandi, which had already been temporarily revised in September 1997 following another hostage-taking incident (see S/1997/827, para. 13), was again revised radically. All operational patrolling has now been suspended and patrols are conducted for administrative and escort purposes only along the main road crossing the sectors. While such patrols continue to be conducted in two vehicles at all times, they are now escorted by mine-protected vehicles when within the security and restricted weapons zones. The Mission's team bases in both sectors have also been relocated to the sector headquarters in Zugdidi and Gali town, where the observers meet daily with representatives of the CIS peacekeeping force and local authorities to discuss security matters. As a result of these new limitations to its modus operandi, UNOMIG now finds itself, for all practical purposes, unable to implement its mandated tasks effectively.

22. Since consultations on improving the security of UNOMIG and on a possible new concept of operations for the Mission are still ongoing (see para. 27 below), it has been decided that, except in a few cases, the regular rotation of military observers should be suspended for the time being. As a result, the Mission's strength now stands at 91 observers (see annex).

23. Council members will recall that, at the time of my report of 19 January 1998, arrangements were under way to provide UNOMIG with helicopter support for medical evacuation and operational purposes (see S/1998/51, para. 18). The helicopter arrived in the mission area on 31 March. However, administrative difficulties with the Georgian and Russian authorities are still preventing the Mission from using the aircraft, which remains at Adler Airport in Sochi. Consultations are continuing with the relevant authorities in order to ensure its speedy deployment, which is essential to the Mission's security.

24. During the reporting period, the Mission's personnel and property continued to be subjected to acts of violence by criminal groups. One such incident took place on 24 January, when several armed men broke into the living quarters of military observers in Gali town, beat up a newly arrived observer and burglarized the house. Another particularly serious incident took place in the early morning of 19 February, when a group of 15 to 20 armed men forcibly entered the UNOMIG sector headquarters in Zugdidi. After firing at the tyres of the Mission's vehicles, the group took four observers hostage and fled in one of the Mission's vehicles. A few hours later, at the request of the hostage-takers, the captured military observers conveyed by telephone several demands to their respective capitals. These demands included (a) the holding of talks between the so-called "legitimate Government of Georgia" and the present Government; (b) the withdrawal of all Russian troops from Georgia; and (c) the release of political prisoners in Georgia. Following negotiations between the Georgian authorities and the hostage-takers, three of the captured observers were released between 22 and 25 February. The fourth managed to escape and was later found safe by the Mission.

25. It will be recalled that UNOMIG had already taken several steps to deal with the threat posed by criminal and related groups in the region. In addition to a revision of the Mission's modus operandi, arrangements have been made with

the CIS peacekeeping force under which the force is called whenever there is a threat against the Mission's patrols or living quarters. Furthermore, military observers' quarters in Gali and Zugdidi have been concentrated into clusters of designated houses, which have been tested for safety, thus providing better security. Random night patrols are conducted by the Mission around these groups of houses. Forces of the Georgian Ministry of the Interior now guard the Zugdidi sector headquarters on a 24-hour basis and locally contracted guards are deployed at each of the Mission's facilities in Gali, Sukhumi and Pitsunda. Finally, in addition to the helicopter support, arrangements are also under way to provide the Mission with ballistic-protective vehicles.

26. On 19 February, the day of the hostage-taking incident, a United Nations security assessment team began a visit to the mission area to evaluate the security measures already taken and to consider whether additional ones might be required. In view of subsequent developments and based on the team's assessment, it appears that a possible solution would be to provide the Mission with a self-protection unit, along with the necessary civilian support personnel, whose task would be to guard each of the Mission's facilities, except Tbilisi. Medical support to the unit would be provided by civilian personnel. As envisaged at present, a 294-strong unit would be deployed around the clock in three shifts of 11 officers to protect the four team bases in the Gali and Zugdidi sectors, the two sector headquarters and the main headquarters in Sukhumi. An additional 16 officers would constitute the command structure and a further 47 would ensure logistic support. This unit would not undertake any patrolling. The military observers would thus continue to patrol unescorted, although they would only be authorized to do so in ballistic- or mine-protected vehicles. In exceptional circumstances, however, the unit could provide assistance to the Mission's patrols if deemed necessary by the Chief Military Observer. Within the Mission's operational capability, the unit would also provide protection to other United Nations agencies when so requested. Clearly, the deployment of such a protection unit would not relieve the parties of their responsibility to provide the Mission with adequate security, nor would the assistance currently provided by the CIS peacekeeping force cease to be required.

27. My Special Representative has shared this proposal with the Government of Georgia, which has welcomed it and expressed its readiness to assist the Mission as necessary. The Abkhaz authorities, however, although they did not object to the proposal when it was first explained to them, have now expressed reservations. My Special Representative continues, therefore, to hold consultations with all concerned, including the group of Friends of the Secretary-General, in order to ensure that an agreement can be reached on modalities for protection, which would allow UNOMIG to resume its mandated activities.

28. In addition to its negative effects on the delivery of humanitarian assistance to the region, the blockade of the main bridge over the Inguri River also seriously affected the operations of UNOMIG and of the CIS peacekeeping force, whom the demonstrators prevented from crossing the bridge by vehicle. Between 5 and 8 April, they also closed the bridge to pedestrians, except for local civilian use. Given that the blockade constituted a serious obstacle to the freedom of movement of UNOMIG and had operational and administrative

repercussions for the Mission, my Special Representative and the Chief Military Observer of UNOMIG conveyed strong protests to the Georgian authorities at various levels. The demonstrators have now agreed to lift restrictions on crossings, except for the CIS peacekeeping force.

29. The weekly quadripartite meetings chaired by the Commander of the CIS peacekeeping force have continued during the period under review. It will be recalled that the meetings bring together the Chief Military Observer and representatives of the Georgian and Abkhaz police, militia, security services and local administration to discuss security and other issues affecting both sides at the local level. Neither the Georgian administration nor police were present at any of the meetings, except on 15 April when the Deputy Mayor of Zugdidi attended. The only representative from the Georgian side was its Zugdidi Chief Military Observer, whose attendance was sporadic. Nonetheless, the meetings continue to be a useful forum in which to consider local issues.

30. UNOMIG continues to cooperate with United Nations agencies and non-governmental organizations working in Abkhazia, Georgia. It regularly shares information with them and provides them with escorts when this is requested and operationally feasible.

V. COOPERATION BETWEEN THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACEKEEPING FORCES OF THE COMMONWEALTH OF INDEPENDENT STATES

31. To the best of its ability in the present circumstances, UNOMIG continues to observe the operations of the CIS peacekeeping forces within the framework of the implementation of the 14 May 1994 Agreement. Cooperation on the ground between UNOMIG and the force remains good. Frequent and regular meetings are held to discuss matters affecting their respective activities and to agree on mutual assistance. The CIS peacekeeping force provided UNOMIG with valuable support during the 19 February hostage-taking incident and in connection with the blockade of the main bridge of the Inguri River.

32. The Council of Heads of State of the CIS held a meeting in Moscow on 29 April and decided, inter alia, to extend, with the consent of the parties, the mandate of the CIS peacekeeping force until 31 July 1998; to demand urgently that the organized return of refugees and displaced persons should begin and that their return to the Gali district (within its old borders) should be completed by the end of 1998 on the basis of the mechanisms worked out by representatives of the parties, the Russian Federation and the Office of the United Nations High Commissioner for Refugees; to recommend urgently that the parties to the conflict should consider and resolve the question of the establishment, at the stage of the return of refugees and the full normalization of life in the Gali district (within its old borders), of a temporary transitional administration, which would work with the direct participation of the intermediaries, the United Nations and OSCE. The Heads of State also decided that, within one month, on the basis of a mechanism worked out by the parties to the conflict, a plan should be drawn up for the redeployment of the CIS peacekeeping force; and, in the event of opposition to the return of refugees and the emergence of a threat to peace and security in the region, to

consider the question of introducing appropriate changes in the nature and content of the peacekeeping operation on the basis of the appropriate provisions of the Charter of the United Nations applicable in such cases. The decision taken by the Heads of State has been issued as document S/1998/372, annex. The Abkhaz leadership expressed its support for the extension of the mandate of the CIS peacekeeping force, but was critical of other decisions taken at the meeting.

VI. SITUATION ON THE GROUND

A. General

33. The situation in the security and restricted weapons zones of the Zugdidi and Gali sectors has been difficult to assess accurately since the suspension of patrolling. Based on information received from the CIS peacekeeping force and from local authorities, UNOMIG reported that tension escalated in the period leading up to and following the Abkhaz "local elections" in mid-March. In addition, in the aftermath of the assassination attempt on President Shevardnadze on 9 February, the security situation in the Zugdidi area has become more unstable. While day-to-day life appears to continue normally in that area, there is an increase in tension, shown by the reinforcement of Ministry of the Interior troops in that sector.

34. Activities by criminal groups against the local population and personnel of international organizations, including UNOMIG, continued during the period under review, albeit to a lesser extent than previously. However, local authorities on both sides of the Inguri River were still not able to address the problem effectively.

35. Mine-laying and other armed activities by certain groups, who appear to be politically motivated and to target mostly the Abkhaz authorities and the CIS peacekeeping force, also continued during the reporting period, killing 2 Abkhaz officers and 4 civilians and injuring 10 soldiers from the CIS peacekeeping force, 10 Abkhaz officers and 4 civilians.

B. Security and restricted weapons zones

36. Both sides continue to violate the 14 May 1994 Agreement. During the period covered by the present report, UNOMIG reported 14 violations by the Government of Georgia and 8 by the Abkhaz side. Those violations involved incursions by individual unarmed servicemen into the security zone. However, several more substantive violations were observed when both sides brought armoured vehicles into the security and restricted weapons zones on a number of occasions. While most of the vehicles were eventually withdrawn, one of them, which was deployed by the Georgian Ministry of the Interior at the Zugdidi police station, has not been withdrawn. On 20 March, four additional armoured vehicles were brought into the Zugdidi sector and remained there until 24 April, in spite of repeated protests by UNOMIG.

37. Since the cessation of its operational patrolling, UNOMIG has not been able to report on long-standing violations of the Moscow Agreement mentioned in previous reports.

C. Kodori Valley

38. As a result of difficult road conditions during the winter season and the subsequent suspension of the Mission's patrolling, UNOMIG has not been able to assess fully the situation in the Kodori Valley. In early February, when the valley was again accessible, the situation appeared to be calm. The CIS peacekeeping force, which has withdrawn its easternmost checkpoint but continues to be present in the valley, has not reported any violations of the 14 May 1994 Agreement.

VII. SOCIAL AND ECONOMIC ASPECTS

39. In the economic sphere, little has changed in Georgia during the reporting period. The Government is advancing the process of economic reform and its efforts are producing positive results, as shown by the rates of economic growth in the country, continued control of inflation and stability of the national currency in relation to the United States dollar. In the energy sector in particular, the Government is taking positive steps that in the long term are expected to reduce the detrimental effects of economic transformation. Negotiations with the International Monetary Fund, however, have continued for longer than expected and are now likely to be concluded in May. This will have repercussions on the disbursement of loans from the European Commission and the World Bank.

40. Under the auspices of the Coordinating Council, the process of extending economic recovery into Abkhazia, Georgia, is being examined in conformity with Security Council resolutions. In accordance with the agreements reached by the Coordinating Council at its session held in Tbilisi on 22 January 1998, the UNDP Resident Representative, acting in his capacity as Coordinator of Working Group III on social and economic reconstruction, organized a United Nations needs assessment mission to Abkhazia, Georgia. The mission was entrusted by the Coordinating Council with the task of assessing and identifying short- and medium-term needs in the economic and social sphere. The mission conducted its activities between 14 February and 4 March (see para. 18 above).

41. A general feature of the mission's findings is the dire state of the physical infrastructure in all sectors, much of which continues to deteriorate. Within that context, humanitarian aid continues to be important, although, with the conflict crisis over, assistance is shifting gradually from life-saving, emergency relief to types of activity that include basic rehabilitation of important structures such as schools and health clinics.

42. The report notes, however, that attempts at rehabilitation will be affected by several constraints. The loss of more than half the 1989 population, for example, has had a devastating impact on the region's social and economic resilience. Closely related to that constraint is the present demographic

uncertainty and the lack of a timetable for the return of refugees and internally displaced persons to the area.

43. In view of these considerations, the needs assessment mission proposed a two-pronged approach, combining elements of both sectoral and area-based programmes. The sectoral approach will be necessary in major infrastructure improvements, such as road building or the vaccination of livestock. The area-based approach seeks to revitalize communities rather than sectors. Implementation assumes that the relevant Security Council resolutions are respected by all parties.

VIII. OBSERVATIONS

44. The groundwork laid in the past few months should have permitted faster progress in the peace process. Regrettably, a number of developments such as the holding of "local elections" in Abkhazia, Georgia, implementation of a "privatization law" and proposed toponymic changes there, as well as recent problems in the normal functioning of the working groups of the Coordinating Council slowed down the momentum. Also, difficulties encountered on Georgian controlled territory relating to the normal operation of UNOMIG or the provision of humanitarian and other assistance to Abkhazia, Georgia, have been a hindrance. The long blockade of the Inguri main bridge is an example. I am inviting the parties to the conflict to abstain from any action that might undermine efforts under way, to do their utmost in support of the peace process and to display the necessary political will so that concrete results may be attained on the central issues - the return of refugees and the political status of Abkhazia, Georgia.

45. The right of the refugees and displaced persons to return to their homes in the region is imprescriptible. The arguments of those who want to prevent their return and thereby prolong the hardship and suffering they have had to endure cannot be accepted. At the same time, however, violence should not be used as a means of pursuing a settlement of the refugee issue. Political dialogue, increased humanitarian aid and development assistance to the region provide peaceful avenues to facilitate their return.

46. My Special Representative has scheduled another high-level meeting at Geneva in May 1998. The meeting will offer the parties a further opportunity to achieve progress. For that to be the case, however, both sides should demonstrate their commitment to the settlement of the conflict through genuine negotiations and mutual accommodation.

47. I am grateful to the Government of Georgia for its assistance during and following the 19 February hostage-taking incident and to President Shevardnadze, under whose able guidance the crisis was peacefully resolved. I believe, however, that there is much to be done by both sides, and in particular by the Government of Georgia, to improve the security situation in the UNOMIG area of operation. Indeed, there are indications that most of the attacks on the Abkhaz militia and the CIS peacekeeping force, which have repercussions on the activities of UNOMIG, have been orchestrated by armed groups operating from the Georgian side of the Inguri River. Furthermore, the two hostage-taking

incidents of 16 September 1997 and 19 February 1998 took place on Georgian-controlled territory.

48. I am concerned about the personal safety of unarmed United Nations military observers being asked to operate in conditions of high insecurity, as is currently the case in the region. This view is shared by the Governments of countries contributing military observers to the Mission, which have expressed their serious concern in this regard and requested that appropriate measures be taken to correct the situation. Should the Security Council agree with the concept of a self-protection unit described in paragraph 26 above, the troops for which should, for practical reasons, be contributed by one single country, my Special Representative would consult on it with the Abkhaz authorities, in close consultation with the group of Friends of the Secretary-General, bearing in mind that the agreement of both parties would be a condition sine qua non for the deployment of such a unit. I shall submit as soon as possible, in an addendum to the present report, a statement on the related financial implications.

49. Should the Security Council prefer a different approach, the following three options would remain: (a) reduce UNOMIG to the minimal possible presence, pending a significant improvement in the security situation; (b) redeploy UNOMIG at its authorized strength and resume previous operations using mine- and ballistic-protected vehicles; and (c) strengthen security arrangements with the CIS peacekeeping force. While the first option would avoid placing the lives of the observers at risk, it would result in a situation where the Mission would be unable to implement its mandate, which could have significant repercussions on the peace process. The second option would continue to expose the observers to real and serious danger. As regards the third option, and notwithstanding the fact that the CIS peacekeeping force has provided the Mission with valuable security support on several occasions, the role and nature of UNOMIG require that it be seen as fully independent. Moreover, the CIS peacekeeping force has itself unfortunately sustained some 200 casualties, including 57 killed, during the past four years as a result of what appears to be politically motivated actions by armed groups. Under these circumstances, the establishment of closer links might have negative implications for the security of UNOMIG personnel.

50. I wish to take this opportunity to thank my Special Representative, Mr. Liviu Bota, and all the civilian and military personnel of UNOMIG for their dedication and perseverance in carrying out, under difficult and at times dangerous conditions, the tasks entrusted to them by the Security Council.

Annex

Composition of the United Nations Observer Mission in Georgia as at 30 April 1998

Country	Military observers
Albania	1
Austria	4
Bangladesh	8
Czech Republic	4
Denmark	5
Egypt	4
France	-
Germany	11
Greece	4
Hungary	5
Indonesia	4
Jordan	5
Pakistan	5
Poland	4
Republic of Korea	4
Russian Federation	3
Sweden	4
Switzerland	5
Turkey	4
United Kingdom of Great Britain and Northern Ireland	1
United States of America	2
Uruguay	4
Total	91

وزع بعثة مراقبي الأمم المتحدة في جورجيا
联格观察团部署情形
UNOMIG DEPLOYMENT
DÉPLOIEMENT DE LA MONUG
РАЗВЕРТЫВАНИЕ МООННГ
DESPLIEGUE DE LA UNOMIG
RUSSIAN FEDERATION
Karachayevsk
Gantiadi
Gagra
Pskhu
ADMIN
Pitsunda
Gudauta
Novyy Afon
Sukhumi
Gulripsh
Dranda
Amtkel
Kvemo Azhara
Omarishara
Mestia
Lata
Otap
Dzgerda
Tqvarcheli
Khaishi
Lentekhi
Okumi
Ochamchira
Gali
Zemo-Bargevi
Nabakevi
Zugdidi
Kahati
Pichori
Anaklia
Khobi
Senaki
Poti
Samtredia
Tskhaltubo
Kutaisi
Chiatura
Kurta
Tskhinvali
Akhalgori
Dushet'i
Tqibuli
Ambrolauri
Khvanchkara
Kvaisi
Mleta
Passanauri
Zestaponi
Khashuri
Gori
Mtskheta
LO
Tbilisi
Borjomi
Abastumani
Atskuri
Akhaltsikhe
Vale
Marneuli
Supsa
Chokhatauri
Ozurgeti
Bakhmaro
Kobuleti
Batumi
AJARIA
Khulo
Keda
TURKEY
BLACK SEA
M UNOMIG main HQ
ADMIN Administrative HQ
S Sector HQ
LO Liaison office
Team base
Security zone (SZ)
Restricted weapons zone (RWZ)
0 25 50 75 km
0 25 50 mi
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
Department of Public Information
Cartographic Section
Map No. 3837 Rev. 16 UNITED NATIONS
April 1998

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13 May 1998

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

Addendum

1. In my report to the Security Council of 8 May 1998 (S/1998/375, para. 48), I indicated that the financial implications for the deployment to the United Nations Observer Mission in Georgia of a self-protection unit would be provided in an addendum to that report.

2. It is estimated that the costs associated with the deployment of a 294-strong self-protection unit, together with the necessary civilian support personnel, for a period of 12 months would be approximately $21.7 million.

3. Should the Security Council decide to deploy the proposed unit, I would then seek the additional resources required from the General Assembly. A breakdown of the estimated financial requirements is provided by main category of expenditure, for information purposes, in the annex to the present addendum.

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ANNEX

Cost estimates for the deployment of a 294-strong self-protection unit to the United Nations Observer Mission in Georgia for a 12-month period

(Thousands of United States dollars)

		Total
1.	Military personnel costs	9 249
2.	Civilian personnel costs[a]	3 291
3.	Premises/accommodation	1 452
4.	Infrastructure repairs	-
5.	Transport operations	1 990
6.	Air operations	-
7.	Naval operations	-
8.	Communications	347
9.	Other equipment	339
10.	Supplies and services	1 551
11.	Election-related supplies and services	-
12.	Public information programmes	-
13.	Training programmes	-
14.	Mine-clearing programmes	-
15.	Assistance for disarmament and demobilization	-
16.	Air and surface freight	3 111
17.	United Nations Logistics Base, Brindisi	-
18.	Support account for peacekeeping operations	-
19.	Staff assessment	400
	Total	21 730

[a] Includes provision for 27 international staff and 37 locally recruited staff.

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S/1998/376
6 May 1998

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GENERAL ASSEMBLY
Fifty-second session
Agenda item 135
REPORT OF THE INTERNATIONAL TRIBUNAL
FOR THE PROSECUTION OF PERSONS
RESPONSIBLE FOR SERIOUS VIOLATIONS
OF INTERNATIONAL HUMANITARIAN LAW
COMMITTED IN THE TERRITORY OF THE
FORMER YUGOSLAVIA SINCE 1991

SECURITY COUNCIL
Fifty-third year

Identical letters dated 5 May 1998 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council

I am attaching, for your consideration and that of the members of the Security Council and the General Assembly, a letter dated 16 April 1998 from the President of the International Tribunal for the Former Yugoslavia. In her letter, President McDonald raises the problem faced by the Tribunal as a result of the recent dramatic increase in the number of persons accused of crimes under the Statute of the Tribunal who are in custody in the Tribunal's Detention Unit at The Hague. It is recalled that a similar request for the establishment of a third Trial Chamber for the International Criminal Tribunal for Rwanda was submitted for the consideration of the Assembly and the Council on 15 October 1997 (A/52/504-S/1997/812) and that a resolution to that effect was adopted by the Council on 30 April 1998 (resolution 1165 (1998)).

President McDonald notes that, with the current capacity of the two Trial Chambers, and with the possibility that further indicted persons might be transferred to the custody of the Tribunal or that several cases might be severed, the Tribunal might require considerable time to complete all the trials. This would run counter to the duty of the Tribunal to provide accused persons with both a fair and expeditious trial, in the interest of the mandate of the Tribunal for the maintenance of international peace and security in the former Yugoslavia. President McDonald further notes that a number of Member States have offered to help by financing the building of two additional courtrooms. With the establishment of a third Trial Chamber, therefore, all three courtrooms will be fully utilized.

In order to address the foregoing requirements, President McDonald requests that a third Trial Chamber of the Tribunal, staffed by three additional judges, be established, and that a fourth judge be added, to be assigned as needed to either a Trial Chamber or to the Appeals Chamber. She underlines the urgency of this request, especially since a period of time would be required before a third Trial Chamber is fully functional.

As requested by members of the Security Council after her address on 12 February 1998, President McDonald attaches to her letter a more detailed report as well as an estimate of annual costs to the Tribunal of an additional Trial Chamber and full utilization of the third courtroom. The Registry of the Tribunal has estimated such annual costs as amounting to $14,150,000. The Secretary-General notes that this unofficial estimate must be reviewed by the Controller and detailed estimates will be made available to the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee.

The establishment of a third Trial Chamber and the election of four additional judges would require the amendment by the Security Council of Articles 11, 12 and 13 of the Statute of the Tribunal. Following such amendment, the General Assembly would be requested to approve the related increase in the budget of the Tribunal. Finally, the Security Council and the General Assembly would have to elect the four additional judges in accordance with the Statute of the Tribunal.

I would appreciate it if you would bring the present letter and its attachments to the attention of members of the Security Council and the General Assembly for their approval of the request for the establishment of an additional Trial Chamber, and the election of four additional judges, for the Tribunal.

(Signed) Kofi A. ANNAN

ANNEX

Letter dated 16 April 1998 from the President of the International Tribunal for the Former Yugoslavia addressed to the Secretary-General

I have the honour to refer to my address, on 12 February 1998, to the Security Council, expressing the need of the International Tribunal for the Former Yugoslavia for an additional Trial Chamber of three judges and a fourth judge to be assigned on an as-needed basis to either a Trial Chamber or the Appeals Chamber. While I was at Headquarters, I also spoke with you regarding this matter.

When I addressed the Security Council, a number of its members raised questions relating to the financial aspects of the International Tribunal's proposal for additional judges and requested further details on the impact an additional Trial Chamber would have on the budget of the Tribunal. I have the honour to submit to you that report, which addresses that issue (see appendix).

The report contains a detailed financial statement of the staffing requirements and costs for the Chambers, the Office of the Prosecutor and the Registry, which will be made available to the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee. The request for additional judges that the Security Council is called upon to consider, however, is based on the need to provide accused persons in custody with an expeditious trial and to utilize fully the court facilities that the Tribunal will shortly have in place.

The International Tribunal for the Former Yugoslavia at present has 25 accused persons in its Detention Unit. The Statute of the Tribunal guarantees the accused a fair and expeditious trial. Yet some have been in custody for long periods of time awaiting both the commencement and conclusion of their trials. Based on the number of persons now in custody, there are 12 trials that have to be conducted. Further, there are 47 persons who have been publicly indicted who are not in custody; if they were all transferred, the Tribunal would have a potential for at least 21 trials to be conducted. These numbers do not take into consideration the real possibility of severance based on motions for separate trials, which, of course, would greatly increase the numbers of trials required.

In order for the International Tribunal to carry out its mandate, a number of Member States have offered to help by financing the building of additional court facilities to carry out our trials. One courtroom will be ready for trial activity at the beginning of May 1998 and a second will be complete by late June 1998. Obviously, the three courtrooms will not be fully utilized if the Tribunal has only two Trial Chambers. The addition of one Trial Chamber would allow the Tribunal to conduct trials simultaneously. Without this addition, some accused who have recently been placed in custody may have to wait until the year 2000 for their cases to begin, and certainly for their cases to be concluded.

The Security Council established the International Tribunal to help bring about and maintain international peace and security in the former Yugoslavia. If the Tribunal is to discharge this mandate, as a judicial institution, it must demonstrate that it can and will provide accused persons with both a fair and expeditious trial. Additional judges are needed for this purpose.

The International Criminal Tribunal for Rwanda has also submitted a request for additional judges. You have referred this request to the Security Council for action (A/52/504-S/1997/812 of 21 October 1997). I am respectfully requesting that you officially refer the present letter and the proposal of the International Tribunal for the Former Yugoslavia to the Security Council in the same manner. In this regard I would note that I have also sent a copy of the report to the President of the Council.

There is an urgency to this request. Firstly, as I have indicated, the number of accused persons in custody has increased dramatically in the last few months. Secondly, there is a need to utilize fully the additional courtrooms made possible by donations from Member States. Thirdly, time is needed to carry out the necessary procedures for additional judges to be elected, should this request be favourably considered. Therefore, I would sincerely appreciate any assistance that you would provide to the International Tribunal in assuring that this request and report are considered by the Security Council in a timely manner.

(Signed) Gabrielle Kirk McDONALD
President

APPENDIX

Report by the International Tribunal for the Former Yugoslavia on the need for and additional Trial Chamber and the full utilization of its courtrooms

I. INTRODUCTION

1. The present report is submitted in support of the proposal by the International Tribunal for the Former Yugoslavia to establish an additional Trial Chamber, as outlined in President Gabrielle Kirk McDonald's presentation to the Security Council of 12 February 1998. As President McDonald indicated, the activities of the International Tribunal have increased dramatically in recent months.

2. Since October 1997, the number of accused persons in custody has increased almost threefold, up from 10 to 29.[a] In mid- to late 1997 a number of Member States recognized the need to provide additional assistance to the Tribunal as a result of the increasing number of accused persons being brought to The Hague. In order for the International Tribunal to carry out its mandate expeditiously, those Member States offered to help by financing the building of additional court facilities to carry out trials.[b] Initially, the Government of the United Kingdom of Great Britain and Northern Ireland provided funding for a second courtroom, and that facility will be ready for trial activity at the beginning of May 1998. Later in the year, the Governments of the Netherlands and the United States of America supplemented by a donation from Canada, offered assistance for a joint project to construct a third and expanded court facility, which would accommodate joint trials of up to six accused. That courtroom will be ready for trial activity in late June 1998.

3. The International Tribunal currently has 12 trials to be conducted by its two Trial Chambers.[c] Further, there are 47 additional public indictees who are not in custody. Should all those indictees be transferred to the Tribunal, there is a potential for 23 trials to be conducted. These numbers do not take

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[a] The Prosecutor withdrew indictments against three accused in December and in March 1998 an accused who is paralysed was provisionally released pending trial without objection by the Prosecution. One convicted person is awaiting transfer for incarceration. There are presently 25 accused persons in the Tribunal's Detention Unit.

[b] The Tribunal proposed the construction of a new court facility in its budget for 1998. The proposal was approved by the General Assembly but construction would not be completed before early 1999.

[c] One trial is presently being conducted by a Trial Chamber of three judges who were permitted by the Security Council in its resolution 1126 (1997) to remain until November 1998 to complete the trial. (Prosecutor v. Zejnil Delalić, Zdravko Mucić, also known as "Pavo", Hazim Delić and Esad Landžo, also known as "Zenga", Case No. IT-96-21-T, T.Ch.II.)

into consideration the real possibility of severance based on motions for separate trials, which, of course would greatly increase the number of proceedings required. Also, the total number of sealed indictments is known only to the Office of the Prosecutor.

4. The Statute of the International Tribunal for the Former Yugoslavia guarantees the accused a fair and expeditious trial. Yet some accused have been in custody for long periods of time awaiting the commencement of their trials - one accused was in custody for almost one year and three months before his trial was commenced. Others have been in custody for two years awaiting the completion of their trial. Because there has been only one courtroom to be shared by the Trial Chambers and the Appeals Chamber, the available time in the single courtroom has been allocated among the four pending trials as well as appeals proceedings. This situation has created severe scheduling problems.

5. The judges have approved amendments to the Rules of Procedure and Evidence to accelerate the trials. However, even with these expedited procedures, a third Trial Chamber is needed for the International Tribunal to best provide expeditious trials to the accused persons in custody and to those who undoubtedly will be transferred in the very near future.

6. The Security Council established the International Tribunal for the Former Yugoslavia to help bring about and maintain international peace and security in the former Yugoslavia. In less than four and a half years, the Tribunal has developed into a functioning international criminal judicial institution, the first of its kind. It has created an international code of criminal procedure and has established precedent interpreting international customary law proscribing serious violations of international humanitarian law. The International Tribunal, which owes its creation to the Security Council, now calls upon that body to enable it to discharge its mandate in accordance with standards of due process. It would be a travesty to see the extensive work put into building this institution stymied by an inadequately staffed Chambers, Office of the Prosecutor and Registry.

7. A number of members of the Security Council have raised questions relating to the financial aspects of the proposal and requested further details on the impact an additional Trial Chamber would have on the budget of the International Tribunal. The cost estimate below indicates that the additional Chamber itself will require an expenditure of less than $1.2 million per annum. The major portion of the increased financial requirements arises directly from the full utilization of the third courtroom and requirements for the Office of the Prosecutor and the Registry. The costs attendant to those increases amount to approximately $13 million per annum.

II. FINANCIAL IMPLICATIONS

8. The capacity of the International Tribunal to fulfil its mandate is being significantly enhanced by the addition of the two new courtrooms, but the Tribunal will need resources for additional staff and equipment to carry out the activity. The Tribunal's 1998 resource level was designed to accommodate two

Trial Chambers,[d] as well as investigative, prosecutorial and support costs at the level of two operational courtrooms and an average of 18 detainees.[e] The increase in the number of detainees and the availability of three court facilities will be addressed during the remainder of 1998 by short-term measures. For 1999, there will be a pressing need to utilize the third available court facility to provide expeditious trials for detainees who will have been held in remand for some time. A third Trial Chamber, consisting of three additional judges and a rotating judge, is required.

9. An analysis has been prepared of the direct costs for a third Trial Chamber, consisting of four judges, five Professional legal staff and two secretaries. This amounts to $1,153,400 for a full calendar year.

10. In addition, preparation for trials, support costs and operational requirements for the courtroom to be used by the new Chamber must be taken into consideration. Approximately 125 additional staff would be required for prosecution and registry tasks. This includes staff and expenses for the Prosecutor's Office to complete investigations and to prepare and carry out the prosecution of cases and Registry requirements for court management, translation and interpretation, supplies, witness and defence costs, furniture and equipment and administrative support personnel. The cost for these items is $12,996,600 for the full calendar year.

11. The addition of a third Trial Chamber and the related support would significantly speed up the completion of the Tribunal's mandate. A summary description of the costs involved and additional staff required is provided in the table below.

Estimated annual cost to the International Tribunal for the Former Yugoslavia of an additional Trial Chamber and full utilization of a third courtroom

(Thousands of United States dollars)

Type of expenditure	Total
Chambers	
Judges' salary and common staff costs	812.0
Salary costs, secretarial support	68.9
Salary costs, legal support	272.5
Total, Chambers	1 153.4

[d] A third Trial Chamber was retained temporarily to complete the Celebici trial, which had begun prior to the election and appointment of new judges in November 1997.

[e] The 1998 budget assumed 12 detainees from January to June, increasing to 24 detainees in the second half of the year.

Type of expenditure	Total
Office of the Prosecutor	
Personnel costs	3 253.8
Consultants and experts	80.1
Travel of personnel	351.3
Total, Office of the Prosecutor	3 685.2
Registry	
Registry costs	
Personnel costs	3 609.2
Interpretation and translation	1 262.2
Travel of personnel	60.0
Total, Registry	4 931.4
Court-related costs	
Witness costs	545.7
Defence counsel	2 400.0
Total, court-related costs	2 945.7
Administrative support costs	
Communications	226.9
Miscellaneous services	65.1
Supplies	282.2
Acquisition of equipment	860.1
Total, administrative support costs	1 434.3
Grand total	14 150.0

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Security Council

Distr.
GENERAL

S/1998/377
6 May 1998

ORIGINAL: ENGLISH

LETTER DATED 6 MAY 1998 FROM THE EXECUTIVE CHAIRMAN OF THE SPECIAL COMMISSION ESTABLISHED BY THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 9 (b) (i) OF SECURITY COUNCIL RESOLUTION 687 (1991) ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

During the informal discussions in the Security Council on 27 April, the issue of the status of the report called for in paragraph 6 of Security Council resolution 1137 (1997) was raised by some delegations.

Paragraph 6 of resolution 1137 (1997) specifies that the provisions of paragraphs 4 and 5 of that resolution shall terminate one day after the Executive Chairman of the Special Commission reports to the Council that Iraq is "allowing the Special Commission inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation ... as well as to officials and other persons ... whom the Commission wishes to interview ...".

Pursuant to the responsibility assigned to me under paragraph 6 of resolution 1137 (1997), I have studied the facts in each case and present to the Council the following report. This report covers the period since the signature of the Memorandum of Understanding between the Secretary-General and the Government of Iraq of 23 February 1998.

1. Iraq has granted unrestricted and unconditional access to all those sites that the Commission has wished to inspect, including sites designated by Iraq as "sensitive" and "presidential".

2. Iraq has also granted the Commission unrestricted access to various equipment the Commission wished to inspect during that period of time.

3. Iraq has not yet provided access to records which had been requested previously by the Commission and the issue of access to means of transportation and to officials the Commission wishes to interview has not arisen.

I hope that the Government of Iraq will provide the requested records.

Under these circumstances, I am of the view that the requirements of paragraph 6 of resolution 1137 (1997) are, at present, sufficiently implemented to allow for the termination of the provisions of paragraphs 4 and 5 of that resolution.

(Signed) Richard BUTLER

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6 May 1998

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATIVE REPRESENTATIVES OF BRAZIL ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 6 May 1998 from the Permanent Representative of Brazil to the United Nations, stating that Ms. Marcela Maria Nicodemos and Mr. Antonio José Ferreira Simões have been appointed alternate representatives of Brazil on the Security Council.

In the opinion of the Secretary-General, the above-mentioned letter constitutes adequate provisional credentials.

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7 May 1998
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GENERAL ASSEMBLY
Fifty-second session
Agenda item 37
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-third year

Letter dated 6 May 1998 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to our earlier letters concerning Israel's attacks on southern Lebanon and the Western Bekaa and the arbitrary practices against the civilian inhabitants in which it engages on a daily basis, I have the honour to notify you of the series of such incidents that took place in April 1998.

1 April 1998

Between 0940 and 1040 hours Israeli warplanes overflew the South and the Shuf littoral at various altitudes.

At 1310 hours Israeli forces and the Lahad militia fired a number of 155-mm, 120-mm and 81-mm artillery shells at areas along the Litani river and Wadi al-Hujayr from their positions at Sharifah and Sala'ah.

At 1330 hours the Lahad militia closed the Kafr Tibnit crossing to traffic in both directions.

Between 1300 and 1340 hours Israeli forces and the Lahad militia fired a number of 120-mm and 81-mm shells at Nab'at Tasah, Mazra'at Uqmata and areas along the Litani river from their positions at Sujud, Sala'ah, Qaysar and Ksarat al-Urush.

Between 1310 and 1345 hours Israeli warplanes overflew the South and the Western Bekaa at various altitudes.

Between 1640 and 1715 hours Israeli forces and the Lahad militia fired a number of 155-mm and 120-mm artillery shells in the direction of Jabal Sujud and Jabal Safi from their positions in Sharifah and Rayhan.

At 2000 hours an Israeli helicopter overflew the areas of Qilya, Dallafah, Maydun, Shawman and Niha.

At 2255 hours Israeli forces and the Lahad militia fired a number of 120-mm and 81-mm shells at areas along the Litani river from their positions at Zafatah, Suwaydah and on Tallat Dabshah and Tallat Tuhrah.

2 April 1998

On the night of 1 to 2 April 1998 between 2130 and 0130 hours, an Israeli reconnaissance aircraft overflew the Tyre area at high altitude.

Between 0150 and 0540 hours Israeli forces and the Lahad militia fired a number of 120-mm and 81-mm shells at areas around the Litani river, the environs of Qa'qa'iyat al-Jisr and the abandoned Lebanese Army barracks in Nabatiyah from their positions at Zafatah and Beaufort Castle.

At 0620 hours the Lahad militia fired two 81-mm shells at the environs of Haddatha from their position on Jabal Hamid.

Between 0700 and 0730 hours Israeli forces fired a number of 155-mm shells at the environs of Yatar and Majdal Zun from their position on Tall Ya'qub.

Between 0745 and 0800 hours an Israeli gunboat at sea off Mansuri fired a number of bursts in various directions.

Between 0900 and 1400 hours Israeli warplanes overflew the South and Rashayya at various altitudes.

Between 1110 and 1300 hours an Israeli reconnaissance aircraft overflew the areas of Nabatiyah and Iqlim al-Tuffah at high altitude.

Between 1250 and 1430 hours Israeli forces and the Lahad militia fired a number of 81-mm, 120-mm and 155-mm artillery shells in the direction of the environs of Luwayzah and Jabal al-Rafi' from their positions at Zafatah, Ksarat al-Urush and on Tallat Dabshah and Tallat Rum.

Between 1940 and 2040 hours Israeli forces and the Lahad militia fired a number of 155-mm and 120-mm shells at the environs of Yatar and Mlikh from their positions at Zafatah, Ksarat al-Urush and Ayshiyah.

At 2240 hours Israeli forces fired seven 155-mm artillery shells in the direction of Jabal Bi'r al-Dahr from their position at Abu Qamhah.

3 April 1998

Between 0640 and 0710 hours Israeli forces and the Lahad militia fired a number of 155-mm artillery shells at the environs of Mayfadun, Zibqin, Majdal Zun and Zawtar al-Gharbiyah from their positions at Zafatah, Sharifah and on Tall Ya'qub.

Between 0945 and 1000 hours the Lahad militia strafed the area around Tallat Ali al-Tahir with medium-weapons fire.

Between 1100 and 1110 Israeli helicopters overflew Wadi al-Jurmuq and areas along the Litani river.

Between 1155 and 1200 hours the Lahad militia directed several bursts of fire at the environs of Kafr Rumman and at areas along the Zahrani river from their position on Tallat Tuhrah.

Between 1215 and 1245 hours Israeli forces and the Lahad militia fired a number of 155-mm and 81-mm artillery shells at the environs of Tibnin and Bra'shit from their positions in Bawwabat Mays al-Jabal and Bayt Yahun.

Between 1930 and 1950 hours Israeli forces and the Lahad militia fired four 155-mm artillery shells and five 81-mm shells in the direction of the environs of Zibqin, Yatar and Wadi al-Saluqi from their positions on Tall Ya'qub and at Qalqat al-Qittah.

Between 2210 and 2230 hours Israeli forces fired four 155-mm artillery shells at the environs of Yatar from their position on Tall Ya'qub.

At 0530 hours an Israeli gunboat at sea off Mansuri fired several bursts in various directions.

Between 0650 and 0710 Israeli forces fired a number of 155-mm artillery shells at the environs of Mansuri and Yatar from their position on Tall Ya'qub.

Between 1935 and 2050 hours Israeli forces and the Lahad militia fired several 155-mm artillery shells at the environs of Yatar, Majdal Zun, Mansuri, Mayfadun and areas along the Litani river from their positions on Tall Ya'qub and at Zafatah. Israeli forces also sent up a number of flares over Kawkaba and Tallat al-Ahmadiyah from the occupied strip.

Between 2120 and 2210 hours Israeli forces and the Lahad militia fired a number of 81-mm shells and directed fire towards Hursh al-Mu'aytah, Wadi Basri and the abandoned army barracks at Nabatiyah from their positions on Tallat Mashnaqah, Tallat Rum, Tallat Anan, Tallat Dabshah and at Ali al-Tahir.

5 April 1998

Between 0030 and 0635 hours Israeli forces and the Lahad militia fired a number of 155-mm and 81-mm artillery shells and directed a number of bursts of fire at the environs of Majdal Zun, Mansuri, Izziyah, Zibqin, Yatar and the area around the abandoned Lebanese Army barracks at Nabatiyah from their positions on Tallat Rum, Tallat Mashnaqah and at Ali al-Tahir.

At 0530 hours an Israeli gunboat at sea off Mansuri directed several bursts of fire in various directions.

On the same day, the Bayt Yahun crossing remained closed to traffic in both directions.

Between 1515 and 1530 hours Israeli forces and the Lahad militia fired twelve 155-mm and 120-mm shells at Jabal Bi'r al-Dahr and areas to the west of

the Litani river in the vicinity of Zillaya from their positions on Tallat al-Ahmadiyah and at Abu Qamhah.

Between 1920 and 2000 hours Israeli forces and the Lahad militia fired a number of 155-mm artillery shells at the environs of Yatar, Zibqin and Majdal Zun from their positions on Tall Ya'qub and Tallat Ali al-Tahir and at Zafatah.

6 April 1998

Between 2000 and 0650 hours Israeli forces and the Lahad militia fired a number of 155-mm artillery shells at areas along the Zahrani river and at the environs of Mayfadun, Majdal Zun and Yatar from their positions at Zafatah and on Tallat Tuhrah.

Between 2000 and 0605 hours Israeli forces and the Lahad militia fired a number of 155-mm artillery shells at Mazra'at Uqmata and in the direction of the environs of Qa'qa'iyat al-Jisr and Wadi al-Hujayr from their positions at Zafatah, Ksarat al-Urush and Tallat 'Ilman.

Between 0830 and 1115 hours Israeli forces and the Lahad militia fired a number of 155-mm artillery shells at areas along the Litani river and at the environs of Qa'qa'iyat al-Jisr and Wadi al-Qaysiyah from their positions at Zafatah and Bawwabat Mays al-Jabal.

At 1245 hours the Lahad militia and Israeli forces fired a number of artillery shells at Jabal Abu Rashid and Jabal al-Rahban from their positions on Tallat al-Ahmadiyah and Abu Qamhah.

Between 1745 and 1810 hours Israeli warplanes overflew the area of Nabatiyah at high altitude.

7 April 1998

At 0345 hours an Israeli gunboat at sea off Mansuri intercepted a fishing boat carrying Hussayn Ibrahim 'Amis and Tawfiq Hussayn and took both men to an undisclosed location.

Between 0650 and 0720 hours Israeli forces and the Lahad militia fired a number of 155-mm artillery shells in the direction of the environs of Yatar, Majdal Zun and of Wadi Bisri from their positions on Tall Ya'qub, Tallat Anan and Tallat Rum.

Between 1700 and 1800 hours the Lahad militia directed several bursts of fire in the direction of Nabih Berri St. in Nabatiyah from their position on Tallat Tuhrah.

Between 1900 and 2010 hours Israeli warplanes overflew the South at high altitudes.

8 April 1998

Between 0705 and 0725 hours Israeli forces fired a number of 120-mm shells at Mazra'at Uqmata from their position at Ksarat al-Urush.

Between 1000 and 1030 hours an Israeli helicopter overflew the areas of Jarju', Arabsalim and Luwayzah.

At 1030 hours the Lahad militia directed several bursts of fire at Hursh al-Mu'yatah from their position on Tallat Rum.

At 2010 hours the Lahad militia fired a number of 155-mm shells in the direction of Wadi Bisri and Zawtar al-Sharqiyah from their positions at Zafatah and Dahr al-Mashnaqah and on Tallat Rum.

At 2200 hours two Israeli helicopters overflew the waters off Tyre.

9 April 1998

Between 0010 and 0445 hours the Lahad militia directed several bursts of fire in the direction of Wadi Bisri from their position on Tallat Rum.

Between 0130 and 0500 hours Israeli forces and the Lahad militia directed several bursts of fire in the direction of Tallat Tuhrah from their positions on Tallat Tuhrah and Tallat Hardun.

At 0712 hours Israeli forces fired six 155-mm artillery shells at Birkat Jabbur from their position in Abu Qamhah.

Between 1430 and 2115 hours Israeli forces and the Lahad militia strafed the area around their positions at Beaufort Castle and Tallat Dabshah with medium-weapons fire.

10 April 1998

At 0600 hours the Lahad militia fired two 81-mm shells in the direction of Wadi al-Habib from their position at Tumat Jazzin.

Between 0630 and 0730 hours an Israeli reconnaissance aircraft overflew the area of Nabatiyah at high altitude.

Between 0850 and 1200 hours Israeli forces and the Lahad militia directed several bursts of fire at Hursh al-Mu'yatah from their positions on Tallat Rum and at Castle Beaufort.

Between 0930 and 1510 an Israeli MK reconnaissance aircraft overflew the area of Nabatiyah.

Between 1710 and 1845 hours Israeli forces and the Lahad militia directed several bursts of fire in the direction of Wadi Bisri and the environs of Yahmur from their positions at Beaufort Castle and on Tallat Anan.

11 April 1998

Between 0000 and 0230 hours Israeli forces and their client militia fired a number of 120-mm shells at Sujud and the area around Tallat Sujud and Tallat Rizlan from their positions at Ksarat al-Urush and on Tallat Sujud and Tallat Rizlan.

Between 1245 and 1400 hours Israeli forces and their client militia fired a number of 155-mm and 120-mm shells at the outskirts of Sujud and Mazra'at Uqmata, the environs of Luwayzah and the area around the army barracks in Mlikh from their positions at Ksarat al-Urush, Zafatah and on Tallat Sujud.

At 1930 hours Israel's client militia directed several bursts of fire in the direction of Wadi al-Habib from its position at Tumat Jazzin.

At 1910 hours Israel's client militia fired a number of 81-mm shells and directed several bursts of fire at areas along the Litani river from its position in 'Ilman and Qusayr.

12 April 1998

Between 0230 and 0630 hours Israeli forces fired a number of 120-mm shells at the area around its position on Tallat Sujud and sent up two illumination flares over the environs of Zawtar al-Sharqiyah and Zawtar al-Gharbiyah.

Between 0900 and 1000 hours Israeli warplanes overflew the South at various altitudes and attacked the environs of Tallat Sujud, firing a number of air-to-surface missiles.

Between 1530 and 1605 hours Israeli forces fired fourteen 155-mm artillery shells on the watercourses at Hujayr, Qaysiyah and Saluqi and the environs of the villages of Tulin and Sawwanah from their position at Bawwabat Mays al-Jabal.

At 1750 hours Israeli forces and their client militia fired three 155-mm artillery shells towards the environs of Majdal Zun, Mansuri and Zibqin from their positions at Tall Ya'qub and Harthun.

At 2115 hours Israeli forces fired two 155-mm artillery shells on the outskirts of Qabrikha from their position at Bawwabat Mays al-Jabal.

At 2200 an Israeli reconnaissance aircraft overflew the Nabatiyah area at high altitude.

13 April 1998

Between 0650 and 0720 hours Israeli forces and their client militia fired a number of 120-mm and 81-mm artillery shells and directed bursts of fire from their positions at Ksarat al-Urush and Tallat Sujud towards areas around Nab'at Tasah, Jabal al-Rafi' and the environs of Tallat Sujud.

Between 1015 and 1215 hours Israeli warplanes overflew the South and the Western Bekaa at various altitudes.

At 1445 hours Israeli forces fired a number of 120-mm and 81-mm artillery shells on the environs of Jabal Sujud from their position at Ksarat al-Urush.

Between 2125 and 2145 hours an Israeli gunboat at sea off Mansuri opened fire in various directions.

At 1522 hours Israeli forces fired a number of 120-mm artillery shells in the direction of Jabal al-Rafi' from their position at Ksarat al-Urush.

14 April 1998

Between 1045 and 1450 hours an Israeli reconnaissance aircraft overflew the South at high altitude.

At 1440 hours Israeli forces directed a number of bursts of fire towards the abandoned army barracks at Nabatiyah from their position on Tallat Dabshah.

Between 2015 and 2050 hours two Israeli helicopters overflew Zahrani, Nabatiyah, the eastern Sidon area, areas along the Zahrani river and the Maydun region of the Western Bekaa.

Between 2125 and 2330 hours Israeli forces and their client militia fired a number of 155-mm artillery shells on the environs of Mayfadun and along the Zahrani river from their positions at Sharifah-Zafatah and Tallat Ali al-Tahir.

Between 2130 and 2245 hours Israeli warplanes overflew the South at high altitude.

15 April 1998

At 0130 hours Israeli warplanes overflew the Nabatiyah area at high altitude.

At 0750 hours Israeli forces fired a number of 120-mm artillery shells on the environs of Tallat Sujud from their position at Ksarat al-Urush.

At 1750 hours Israel's client militia fired a number of 155-mm artillery shells on the environs of Zawtar al-Gharbiyah and Qa'qa'iyat al-Jisr from its position at Zafatah.

Between 2130 and 2300 hours Israeli warplanes overflew the South, the Western Bekaa and Mount Lebanon at high altitude.

16 April 1998

At 0630 hours Israeli forces fired three 155-mm artillery shells on the environs of Yatar from their position on Tall Ya'qub.

Between 1400 and 1645 hours Israeli warplanes overflew the South and the Western Bekaa at high altitude.

Between 2150 and 1522 hours Israel's client militia fired a number of 81-mm artillery shells towards Hursh al-Mu'aytah and the road to the Tallat Rum position from its positions on Tallat Rum and Tallat al-Mashnaqah.

At 0640 hours Israeli forces and their client militia fired a number of 155-mm and 120-mm artillery shells on Jabal Safi, Jabal Sujud and along the Zahrani river from their positions at Ksarat al-Urush-Tall Ya'qub and Zafatah.

17 April 1998

Between 1825 and 1910 hours Israeli forces and their client militia bombarded the abandoned army barracks at Nabatiyah and the environs of Tallat Dabshah and Tallat Ali al-Tahir with 81-mm artillery shells and bursts of fire from their positions on Tallat Rum, Tallat Ali al-Tahir and Tallat Dabshah.

At 2240 hours Israeli forces and their client militia fired a number of 155-mm and 120-mm artillery shells on the environs of Jisr Habbush, Wadi Bisri, Jabal al-Rafi' and Jabal Safi from their positions at Zafatah-Ksarat al-Urush and on Tallat Rum and Tallat Suwaydah.

At 2225 hours Israeli forces and their client militia fired a number of artillery shells on the environs of Haddatha, Bra'shit and Tibnin from inside the occupied strip.

18 April 1998

Between 1825 and 1910 hours Israeli forces and their client militia bombarded the abandoned army barracks at Nabatiyah and the environs of Tallat Dabshah with 81-mm artillery shells and bursts of fire from their positions on Tallat Rum, Tallat Ali al-Tahir and Tallat Dabshah.

At 2240 hours Israeli forces and their client militia fired a number of 155-mm and 120-mm artillery shells on the environs of Jisr Jawshar, Wadi Bisri, Jabal al-Rafi' and Jabal Safi from their positions at Zafatah-Ksarat al-Urush and on Tallat Rum and Tallat Suwaydah.

At 2225 hours Israeli forces and their client militia fired a number of artillery shells on the environs of Haddatha, Bra'shit and Tibnin from inside the occupied strip.

Between 0015 and 0640 hours Israeli forces and their client militia fired a number of 155-mm, 120-mm and 81-mm artillery shells on the environs of Yatar and Majdal Zun, along the Zahrani river and on the abandoned army barracks at Nabatiyah from their positions at Tall Ya'qub-Zafatah and on Tallat Dabshah, Tallat Suwaydah and Antaharah.

At 1600 hours Israel's client militia seized Bilal Ali Nab'a from the village of Shaba'a and took him to an unknown location.

19 April 1998

At 0600 hours the Israeli forces bombarded the environs of Tibnin, Bra'shit, Sawwanah, Shaqra, Khirbat Silm, Majdal Silm and Qabrikha.

At 1400 hours Israeli warplanes overflew the camps and town of Sidon at medium altitude.

At 1600 hours Israeli forces and their client militia bombarded the environs of Kafra, Yatar, Haris, Haddatha and Tibnin.

20 April 1998

At 0630 hours Israeli forces and their client militia bombarded the environs of Habbush and Nabatiyah al-Fawqa.

At 1100 hours the Israeli client militia strafed the area along the Tumat Niha road.

At 1310 hours Israeli warplanes overflew Sidon at high altitude.

21 April 1998

At 0630 hours Israeli forces fired a number of 155-mm artillery shells on the environs of Yatar from their position on Tall Ya'qub.

Between 1340 and 1400 hours the client militia fired six 81-mm artillery shells on the environs of Shaqra from its position at Muhaybib.

Between 2050 and 2110 hours the Lahad militia fired a number of 155-mm artillery shells on the environs of Qa'qa'iyat al-Jisr and Jisr Habbush from its position at Zafatah.

22 April 1998

Between 0545 and 0800 hours Israeli forces and their client militia fired a number of 155-mm and 120-mm artillery shells on the environs of Mayfadun, Jabal Safi and Wadi Habbush from their positions at Zafatah-Ksarat al-Urush and on Tallat al-Ruzlan.

At 1440 hours Israel's client militia strafed the area of Ma'bar Zamriya.

Between 2000 and 2020 hours Israeli forces fired a number of 155-mm artillery shells on areas along the Zahrani river, on Tallat al-Suwayda and on the environs of Qa'qa'iyat al-Jisr and Mayfadun from their position on Tallat Sharifah.

At 2200 hours the Lahad militia fired a number of rounds in the direction of Jabal al-Rafi' from its position on Tallat Sujud.

23 April 1998

At 0730 hours Israeli warplanes overflew the Tibnin region at high altitude.

At 0915 hours Israeli forces fired a number of 155-mm artillery shells on the environs of Kafra, Haris, Sribbin and Shaqra from their position on Tall Ya'qub.

Between 1915 and 2045 hours Israeli forces and their client militia fired a number of 155-mm artillery shells on the environs of Tulin, Qallawiyah and Mayfadun and along the Zahrani river from their positions at Bawwabat Mays al-Jabal and Zafatah.

24 April 1998

At 0400 hours the client militia fired a number of rounds in the direction of Bi'r al-Dahr from its position on Tallat Zaghlah.

At 0430 hours an Israeli gunboat at sea off Baydah opened fire in various directions.

Between 0620 and 0705 hours Israeli forces and their client militia fired a number of 155-mm and 120-mm artillery shells on the environs of Yatar, Majdal Zun, Shaqra, Jabal Safi and areas around Jisr Habbush from their positions on Tall-Ya'qub-Ksarat al-Urush and Tallat Sujud.

25 April 1998

At 0645 hours Israeli forces fired three 155-mm artillery shells on the environs of Yatar from their position on Tall Ya'qub.

At 1725 hours Israeli forces and their client militia fired a number of shells and directed bursts of fire from their positions on Tallat Suwaydah and Tallat Tuhrah onto the areas surrounding those positions and on Wadi al-Akhdar.

Between 1440 and 1700 hours Israeli forces and their client militia fired eight 155-mm artillery shells on Jabal Bi'r al-Dahr and Wadi Habib from their positions at Abu Qamhah and Tumat Jazzin.

26 April 1998

Between 0630 and 0710 hours Israeli forces and their client militia fired a number of 155-mm artillery shells on Wadi Qaysiyyah, Jabal Safi, Jabal al-Rafi' and areas along the Nab'at Tasah and around Jisr Habbush from their positions at Bawwabat Mays al-Jabal, Zafatah and Ksarat al-Urush.

Between 1950 and 2030 hours Israeli forces and their client militia fired a number of 155-mm artillery shells on the environs of Yatar, Majdal Zun, Izziyah and Mayfadun from their positions at Sharifah-Tall Ya'qub and Zafatah.

Between 2045 and 2115 hours two Israeli helicopters overflew the environs of Haddatha.

27 April 1998

Between 0650 and 0800 hours Israeli forces fired a number of 155-mm artillery shells on the environs of Yatar, Majdal Zun, Zibqin and Jibal al-Butum from their positions on Tall Ya'qub and Jabal Balat.

Between 1400 and 1545 hours Israeli forces and their client militia fired a number of 155-mm artillery shells on the environs of Siddiqin, Qabrikha, Jibal al-Butum, Zibqin and Yatar from their positions at Rajmayn, Tall Ya'qub and Markaba.

Between 2000 and 2100 hours the client militia fired a number of 155-mm artillery shells on the environs of Zawtar al-Gharbiyah, Qa'qa'iyat al-Jisr and along the Litani river from its position at Zafatah.

28 April 1998

At 0620 hours Israeli forces and their client militia fired a number of 120-mm artillery shells on the environs of Jisr Habbush from inside the occupied strip.

Between 1615 and 1950 hours the client militia fired three 155-mm artillery shells on the environs of Mansuri from its positions at Tall Ya'qub and Rajmayn.

29 April 1998

Between 0500 and 0645 hours an Israeli reconnaissance aircraft overflew Nabatiyah, Iqlim al-Tuffah and the eastern Sidon region at high altitude.

Between 0900 and 1425 hours Israeli forces and their client militia fired a number of 120-mm artillery shells and other rounds towards areas around Nab'at Tasah and Hursh al-Mu'aytah from their positions at Ksarat al-Urush and on Tallat al-Burj and Tallat Rum.

Between 1945 and 2025 hours Israeli forces and their client militia fired a number of artillery shells and other rounds towards Hursh al-Mu'aytah, Jabal Safi and Jabal al-Rafi' from their positions on Tallat Rum, Tallat Ruzlan and Ksarat al-Urush.

30 April 1998

Between 0200 and 0645 hours Israeli forces and their client militia fired a number of 155-mm artillery shells and other rounds towards Jabal al-Safi and Qal'at al-Shaqif from their positions at Zafatah-Ksarat al-Urush and on Qal'at al-Shaqif and Tallat Ali al-Tahir.

At 2135 hours the client militia fired three 81-mm artillery shells on the environs of Shaqra from its position on Qal'at al-Qittah.

At 2140 hours the client militia fired ten 81-mm artillery shells on Dallafah from its position at Ahmadiyah.

The Lebanese Government strongly condemns the continued Israeli occupation and the fresh attacks and arbitrary practices against the Lebanese civilian population that have caused further serious damage to property.

Like previous attacks, this new series is in flagrant violation of the sovereignty and independence of Lebanon and constitutes a breach of the purposes and principles of the Charter of the United Nations, of international law and of basic human rights.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

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LETTER DATED 6 MAY 1998 FROM THE PERMANENT REPRESENTATIVE OF ITALY
OF THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I wish to draw your attention to the attached conclusions of the first meeting of the Committee on Somalia of the Intergovernmental Authority on Development Partners Forum, held in Rome on 4 May 1998.

I should be very grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) F. Paolo FULCI
Ambassador

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Annex

Conclusions of the first meeting of the Committee on Somalia of the Intergovernmental Authority on Development Partners Forum

(Rome, 4 May 1998)

The first meeting of the Committee on Somalia of the Intergovernmental Authority on Development (IGAD) Partners Forum was held in Rome, on 4 May 1998, under the chairmanship of the Deputy Minister for Foreign Affairs of the Republic of Italy, Senator Rino Serri, with the participation of Austria, Belgium, Canada, Denmark, Finland, France, Germany, Japan, Ireland, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the European Commission, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the World Bank, partners of IGAD.

Following the consultations held on the basis of the Final Declaration of the first Ministerial Meeting of the Joint IGAD Partners Forum (Rome, 19 and 20 January 1998) and the deliberations of the sixth Summit of the IGAD Heads of State and Government (Djibouti, 16 March 1998), Egypt attended the meeting and was invited to be part of the IGAD Partners Forum Committee on Somalia.

The Executive Secretary of IGAD, Dr. Tekeste Ghebray, and a delegation from Ethiopia, the country mandated by IGAD to take the lead on the Somali issue, attended the meeting. The ambassadors of Greece and the Russian Federation were present as invited guests.

The participants stressed that the primary responsibility for achieving national reconciliation and peace in Somalia lay with the Somalis themselves. They examined the developments in the peace process and recalled previous efforts undertaken in Djibouti, Nairobi, Mogadishu and Sana'a, as well as, more recently, the Sodere and Cairo agreements and the Addis Ababa meeting of the National Salvation Council. They noted that the expectations resulting from those agreements had not yet been met. In that regard, they stressed the strong need for the faction leaders to demonstrate resolve and commitment towards achieving national reconciliation and the reconstruction of their country. They also noted that there was a need for close coordination and unity of purpose within the international community in support of the IGAD initiative. The IGAD Partners Forum Committee on Somalia will promote such coordination.

Having reviewed the conclusions of the recent Ministerial Council and Summit of IGAD in Djibouti, the participants discussed the ways and means to support the peace process based on the rehabilitation and the building up of administrative capacities in those regions where local leaders and their constituencies demonstrate a practical commitment to peace, stability and national reconciliation. They underlined that this implied strengthening the civil society and local administrative structures in view of the building up of new Somali institutions through a bottom-up approach, with the active involvement of those who have more interest in the end of illegality and violence and the re-establishment of conditions of peace, normal economic life,

rehabilitation and development, such as elders, religious leaders and representatives of civic groups, women's and youth organizations and the business community.

The Committee has considered that in order to support this process with the aim of reconstructing the institutions within the framework of the territorial integrity of the country inside the existing international borders, and in order adequately to prepare an international conference as suggested by IGAD, it is time to identify the problems to be tackled.

The Committee agreed that the following items merit further discussion:

(a) The causes of the conflicts at the local level for the control of territories and resources after the changes introduced by the civil war since 1991;

(b) The inter-clan power balance at the local and national levels;

(c) Focusing the criteria of the rehabilitation and capacity-building activities at the local level;

(d) The linkage between those activities and a negotiated framework at the national level;

(e) Monitoring and security aspects;

(f) The involvement of the United Nations and the Organization of African Unity according to their respective charters.

In order to establish a constant dialogue with IGAD on the matter and to promote, together with the IGAD countries, the necessary coordination in the different forums to mobilize support for the IGAD initiative, the Committee has decided to establish a smaller liaison group.

The Committee has urged all Somalis to consider that the present situation of lack of authority, unrest and danger of instability for the neighbouring countries and the entire region cannot continue. The leaders of political factions, the elders, the religious leaders, the intellectuals, the representatives of women's and youth organizations and the business community and all the members of civil society interested in a normal life in their country and in the social and economic development that the Somali people deserve have to realize that in this situation any assistance from the international community cannot continue unless there are radical changes of course towards improving the political and security environment. Those who consider that they have a political role to play should be in their constituencies and work with their people. There is no room for those who would hamper a process in which the opportunity to demonstrate the leadership capacity needed by the people and by their desire for peace will be given.

It is the task of the Somalis to rebuild their country. The participants urged the international community to support those who demonstrate with their behaviour a practical commitment to peace, rehabilitation, reconstruction and social and economic development in their areas and in Somalia as a whole.